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Resolution #	Project Name	Minutes Date	Item #
January	Wastewater SRF – Public Hearing Minutes		
2438-2011	Clinton St & St Mary's River Sewer Repair	4-Jan	3
99-1-11-12-1	2720 Euclid Avenue	11-Jan	2
99-1-11-12-2	Increase in Fort Wayne Water Utility Rates	11-Jan	3
99-1-18-12-1	Signatory Authorization Resolution	18-Jan	2
99-1-18-12-2	Acceptance of Preliminary Engineering Report	18-Jan	3
2206-2009	Westside Pump Station & West Tank Improvements	18-Jan	4
February			
99-2-1-12-1	922 to 936 Lake Avenue	1-Feb	3
99-2-1-12-2	Ord. Amend. Sewer Water Pollution Control Rules	1-Feb	4
99-2-8-12-1	Citizens Square Elevator Modernization	8-Feb	2
0002-2011	Rothman Lift Station Odor Control	15-Feb	2
0006-2012	St. Joseph/Beckett Run Equalization Facility	15-Feb	3
2431-2011	Croninger/Bunche Improvements & Rain Gardens	22-Feb	3
99-2-22-12-1	Intent to Sell Real Estate Owned by the City	22-Feb	4
March			
7351-12	Harrison College Entrance (WO# 3781N)	14-Mar	10
83144	Rain Garden Planting Contract	21-Mar	2
99-3-21-12-1	Recycle Cart Purchase Order Increase	21-Mar	2
12278	Thornwood Court	28-Mar	2
April			
12294	2012 - Victoria Park Neighborhood Concrete Repairs	11-Apr	4
99-4-11-12-1	4500 Maplecrest Road	11-Apr	5
12284	2012 Resurfacing Package A	25-Apr	2
12292	Tipperary Trail-Donegal Drive Concrete Street Repair	25-Apr	3
83317	Interstate Business Park - Spy Run Creek Erosion Control	25-Apr	2
May			
12304	2012 - On Call Arterial Concrete Street Repairs	2-May	4
99-5-2-12-1	Quitclaim of Utility and Stormwater Ice-Way Drainage	2-May	5
99-5-2-12-5	Quitclaim of Sanitary Sewer Pipe and Easement	2-May	6
12298	Bittersweet Drive Concrete Street Repairs	9-May	4
75156	St. Joe Lift Station Improvements	9-May	5
0009-2012	WPCP Aeration Basins 1-3 Structural Improvements	9-May	6
12287	Willowind Trail-Coldwater Rd to Covecrest	16-May	4
12299	Lima Valley Drive Concrete Street Repairs	16-May	5
3790N	Northwood Middle School Storm Pipe Repair	16-May	6
75707	General Manhole Rehabilitation Pkg #1 2012	16-May	7
99-5-16-12-1	Intent to sell Real Estate owned by the City	16-May	8
99-5-16-12-2	Establishing Variable Conveyance Charges	16-May	9
12283	Resurfacing Package B - 2012	23-May	4
12289	Avondale Drive Sidewalks	23-May	5
12293	2012 - 1st District Concrete Street Repairs	23-May	6

Resolution #	Project Name	Minutes Date	Item #
May			
12314	Central Drive Concrete Street Repairs	23-May	8
75602	Lexington & Oakdale Storm Sewer Extension	23-May	9
12286	Surface Milling Package - 2012	30-May	6
12291	5th District Concrete Street Repairs	30-May	7
12311	Louisedale Drive Concrete Street Repairs	30-May	8
12312	3rd District Concrete Street Repairs - 2012	30-May	9
75663	Fairfax Storm Sewer Extension	30-May	9
99-5-30-12-1	W. Jefferson Blvd. Properties as Public Sewer	30-May	11

Resolution #	Project Name	Minutes Date	Item #
June			
12296	Turf Lane Concrete Street Repairs	6-Jun	6
12301	2012 Crown Colony Neighborhood Concrete Repairs	6-Jun	7
12305	2012 Resurfacing Package C	6-Jun	8
75606	Snider High School and Glenwood Park Separation	6-Jun	9
2297-2010	Hazelhurst Drive Laura Lane Septic Elimination	6-Jun	10
75712	2012 CIPP Package #2 - Small Diameter	6-Jun	11
75714	2012 CIPP Package #1 - Medium Diameter	6-Jun	12
99-6-13-12-1	Quitclaim North of Dupont Rd. between Diebold & Tonkel	13-Jun	7
99-6-13-12-2	Conveyance of Remaining City Light Real Estate	13-Jun	8
3379N	Edgewater Avenue Levee Repair	13-Jun	9
12295	Willow Grove Drive Concrete Street Repairs	13-Jun	10
12297	Caribou Drive Concrete Street Repairs	13-Jun	11
12313	Crystal Springs Drive Concrete Street Repairs	13-Jun	12
12290	Webster Street Concrete Street Repairs	20-Jun	8
12308	Wenonah Lane Concrete Street Repairs	20-Jun	9
66113	2012 Filter Renovations	20-Jun	10
12249	Bluffton Road Sidewalk	27-Jun	10
12310	2nd District Concrete Street Repairs	27-Jun	11
July			
12271	North Anthony Crosswalk	11-Jul	8
12317	Osage Street Sidewalk & Retaining Wall Repair	11-Jul	10
75667	Dupont Lift Station Improvements	11-Jul	11
2180-2010	Hazelett Road Storm Drainage Improvement	11-Jul	2
12288	2012 - Miscellaneous Construction Package	18-Jul	5
12316	Southgate Plaza Sidewalks	18-Jul	6
88313	Windsong Court Storm Draining Improvements	25-Jul	2
August			
75051	Asphalt Pad for Yard Waste Area	1-Aug	7
0014-2012	WPCP East Secondary High Flow Protection	8-Aug	4
83330	Interstate Park - Spy Run Creek Plantings	22-Aug	2
12315	S. Anthony Blvd. Curbface Sidewalk Reconstruction	29-Aug	2
STM12	Storm Damage Sidewalk Repair	29-Aug	3
September			
51082	Buckfield Court Lighting Improvements	5-Sep	2
75791	General Manhole Rehabilitation Pkg #2 2012	5-Sep	3
75794	Woodrow Vance Bioretention	5-Sep	4
99-9-5-12-1	2422 Stanford Avenue	5-Sep	5
75486	Golfview Lift Station Improvements	12-Sep	3
75608	2011 CIPP Package - Southwest Interceptor	12-Sep	4
75667	Dupont Road Lift Station Improvements	12-Sep	5
12321	Thieme Drive Wood Guardrail Installation	19-Sep	5
83331	Covington and Windpump Road Repair	19-Sep	2

Resolution #	Project Name	Minutes Date	Item #
October			
83236	Reed Rd. - Tamarack Add. Storm Drainage Improvements	10-Oct	2
51083	Fairfield Avenue Street Lighting Improvements	17-Oct	3
75809	2012 CIPP Pkg #3 - Small Diameter	17-Oct	4
12323	Hobson Rd. & Timberhill Dr. Crosswalk	24-Oct	2
99-10-31-12-1	Release Easement NE Corner Broadway & Taylor	31-Oct	3
75715	General Open-Cut Sewers 2012	31-Oct	2
November			
3792N	1100 Cook Rd. Drainage Improvements	28-Nov	3
99-11-14-12-1	Conveyance of City Light Real Estate	28-Nov	4
December			
83235	Haffner Drive Storm Drainage Improvements	5-Dec	2
83329	St. Joe-DeRome Stormwater Improvements	5-Dec	3
83332	Production Rd. & Investment Dr. Stormwater Improvements	5-Dec	4
75807	WPCP Primary/Secondary Treatment & Digester Upgrades	12-Dec	2
99-12-19-12-1	Upper Ely Area Sanitary Sewer Improvement	19-Dec	3
99-12-19-12-2	Upper Ely Sanitary Sewer Area Connection Fee	19-Dec	4
66160	Bluffton Rd & Lwr Hungtington Rd. Water Main Replacement	19-Dec	5

Clinton Street & St Mary's River – 30" Sewer Repair Project
RESOLUTION NO. 2438-2011

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the repair of the 30" sewer on the north side of the St Mary's River just west of the Clinton Street Bridge. Said reconstruction shall include the installation of pipe, couplings and associated repair materials.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Clinton Street Bridge Improvements.**

Declares that City Utilities's portion of the cost of the said improvements shall be paid by the Fort Wayne Sewer Utility.

Declares that this project is of public utility and civil city benefit.

States there is no land acquisition associated with this project.

Declares the engineer's estimate of the project's total cost is $120,000. City Utilities shall pay $107,740.49 to the City of Fort Wayne Public Works for construction of the repairs.

APPROVED THIS 4th DAY OF January, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: December 20, 2011

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payment with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$386,295.00.** This payment will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. This expense is for the General CIPP 2011 Medium Diameter project.

Draw #315	Reynolds Inliner	**$386,295.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

January 4, 2012
Date

EMERGENCY RESOLUTION NUMBER #99-1-11-12-1
2720 EUCLID AVENUE

WHEREAS, an existing brick combination sewer manhole has collapsed, in the alley behind 2720 Euclid Ave. and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the brick combination sewer manhole is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T&E Exc., Bercot and Bunn Exc. were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 11th day of January ,2012.

BOARD OF PUBLIC WORKS

By _____
Robert Kennedy, Chair

By _____
Kumar Menon, Member

By _____
John Suarez, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

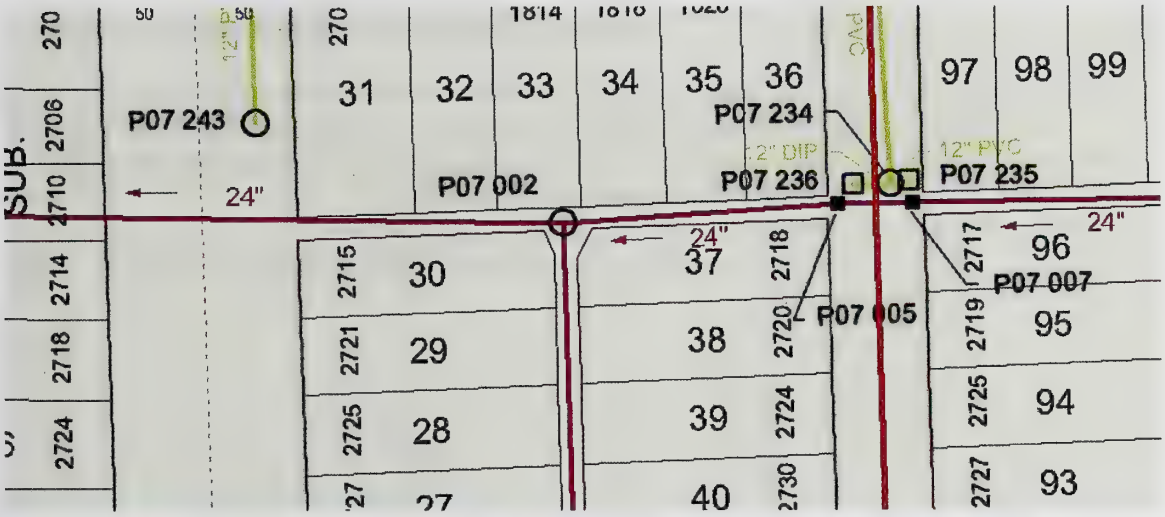
2720 EUCLID AVENUE
COMBINATION MANHOLE
EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1 REPLACEMENT OF MH P07 002

1. The pre cast concrete 20ft deep manhole will be supplied by the city. Along with all other materials to connect the 24" and 12" combination sewer lines and catch basin.
2. Restoration of the concrete alley and installation of a catch basin which connects to the manhole will also be the contractor's responsibility.
3. Frontier has contracted with Bunn Excavating to remove the phone vault that is next to the sewer manhole and above the 24" combination sewer line.



CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual
2. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
3. Contractor shall be required and responsible for placing and maintaining temporary barricades.
4. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
5. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
6. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.
7. Contractor is to submit Monthly Report and Manpower Summary to the City Compliance Office.
8. Contractor shall be required to obtain and adhere to any and all required permits, including a right of way cut permit and a street barricade permit.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition, at no extra cost.

2720 EUCLID AVENUE
COMBINATION MANHOLE
EMERGENCY REPAIR SPECIFICATIONS

BASE BID:
ITEM NO. 1

All costs to complete all work to remove and replace the combination sewer manhole.

Proposal submitted this _____day of _____, 2012.

FROM_____
Contractor

BY_____

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 99-1-11-12-2

WHEREAS, the Board of Public Works of the City of Fort Wayne, Indiana last recommended to the Common Council, an across the board water rate increase in October 2005, which was approved by both the Common Council and the Indiana Utility Regulatory Commission and became effective as of September 1, 2006; and.

WHEREAS, the Fort Wayne Water Utility has developed a Capital Improvements Plan (CIP) that will allow the Water Utility to continue to provide its customers with safe, reliable and affordable water service with good service and the least amount of interruptions in service through sustainable minimum levels of capital spending on plant parts and equipment, excavating equipment, water main replacement and other mechanical structures positioned throughout the service territory; and

WHEREAS, Crowe Horwath LLP was hired by Fort Wayne City Utilities to analyze the Water Utility's pro forma revenues, proposed capital improvements plan, and other projected cash flows in order to arrive at water rates that will generate sufficient funds to meet the fiscal needs of the Water Utility including:

(A) Payment of all of the legal and other necessary expenses incident to the operation of the utility;
(B) Provision of a sinking fund, a debt service reserve, adequate money for working capital and making extensions and replacements to the extent not provided for through depreciation;
(C) Provision of money for the payment of any taxes that may be assessed against the utility; and
(D) Meeting the financial obligations of the Utility's CIP.

WHEREAS, Crowe Horwath LLP has concluded that the existing rates and charges for the use of and services rendered by the Fort Wayne Water Utility do not produce sufficient revenue to satisfy the requirements of I.C. 8-1.5-3-8, including but not limited to those costs related to the Utility's CIP and therefore recommends that the existing rates and charges should be increased in two phases accomplished 12 months apart in amounts described below.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Works of the City of Fort Wayne, Indiana finds that the existing rates and charges for the use of and services rendered by the waterworks of the City do not produce sufficient revenue to:

- Pay all of the legal and other necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, and interest charges on bonds or other obligations;
- Provide a sinking fund for the liquidation of bond or other indebtedness and a debt service fund;
- Provide adequate money for working capital and to make extensions and replacements to the extent not provided for through depreciation;
- Provide money for the payment of any taxes that may be assessed against the utility; and
- Meet the financial obligations of the Utility's CIP.

Be it further resolved by the Board of Public Works that the revised Water Utility's rates and charges listed below are necessary to provide sufficient revenue to maintain

the Utility's property in a sound physical and financial condition to render adequate and efficient service and to fund the Utility's CIP, which increase will produce fair and just rates for such services and improvements; and

Be it further resolved that the Board of Public Works recommends that the Common Council act in accordance with I.C. 8-1.5-3-8 and find and elect that the rates and charges for water service to be paid by users of the system should be sufficient to carry out the obligations of the Water Utility as outlined above, to provide a fair and reasonable return on the Utility plant of the City and to compensate the City for taxes that would be due to the City on the Utility property were it privately owned; and

Be it further resolved by the Board of Public Works does hereby recommend that the Common Council of the City of Fort Wayne amend Chapter 52 of the Fort Wayne Code of Ordinances to increase the rates and charges assessed to Fort Wayne Water Utility customers as recommended by Crowe Horwath LLP in two phases, the first phase to be effective upon approval of said rates and charges by the Indiana Utility Regulatory Commission and the second phase effective 12 months thereafter and that the Board of Public Works approves and recommends the following schedule of rates and charges be inserted in Chapter 52 of the Fort Wayne Code of Ordinances in place of the current schedule:

Sec. 52.15 Water Usage Schedule - Inside City

There shall be and hereby are established for the use of and the service rendered by the waterworks system of the City the following rates and charges based on the use of water supplied by the City Waterworks System

(A) Metered rates per month.

Metered Rates Per Month (cubic feet)	Rate Per 100 Cubic Feet Phase I	Phase II
First 2,500 cubic feet	$ 1.82	$ 2.08
Next 9,500 cubic feet	$ 1.63	$ 1.87
Over 12,000 cubic feet	$ 1.52	$ 1.74

(B) Monthly service charges. Each user shall pay a monthly service charge, in addition to usage charges calculated under the metered rate schedule, as follows:

Size of Meter (inches)	Monthly Service Charges Phase I	Phase II
5/8"	$ 8.93	$ 10.23
3/4"	$ 8.93	$ 10.23
1"	$ 22.76	$ 26.06
1 1/2"	$ 50.99	$ 58.39
2"	$ 90.45	$ 103.58
3"	$ 203.66	$ 233.23
4"	$ 362.05	$ 414.62
6"	$ 814.21	$ 932.43
8"	$ 1,447.86	$ 1,658.09
10"	$ 2,262.06	$ 2,590.51

Sec. 52.16 Cost for Private Fire Protection Service - Inside City.

Fire protection service for use in extinguishing fire only, shall be as follows:

For each fire hydrant .	Per Annum Phase I $ 457.08	Phase II $523.44
1" connection	$ 50.28	$ 57.60
2" connection	$ 50.28	$ 57.60
3" connection	$ 114.28	$ 130.88
4" connection	$ 201.12	$ 230.32
6" connection	$ 457.12	$ 523.48
8" connection	$ 813.64	$ 931.80
10" connection	$ 1,270.72	$ 1,455.24
12" connection	$ 1,828.40	$ 2,093.88
16" connection	$ 3,250.00	$ 3,721.92

Sec. 52.17 Cost for Municipal Service.

Municipal service to the City shall be $457.08 and $523.44 per annum for Phase I and Phase II, respectively, for each fire hydrant inside the city limits.

Sec. 52.18 Charges for Customers Outside Corporate Limits.

There shall be and hereby are established for the use of and the service rendered by the waterworks system of the City of Fort Wayne the following rated and charges based on the use of water supplied by said waterworks system:

(A) Metered rates per month.

Metered Rates Per Month (cubic feet)	Rate Per 100 Cubic Feet Phase I	Phase II
First 2,500 cubic feet	$ 2.09	$ 2.39
Next 9,500 cubic feet	$ 2.03	$ 2.32
Over 12,000 cubic feet	$ 1.90	$ 2.18

(B) Monthly service charges. Each user shall pay a monthly services charge in addition to usage charges calculated under the metered rate schedule, as follows:

Size of Meter (inches)	Monthly Service Charges Phase I	Phase II
5/8"	$ 10.27	$ 11.76
3/4"	$ 10.27	$ 11.76
1"	$ 26.17	$ 29.97
1 1/2"	$ 58.64	$ 67.15
2"	$ 104.01	$ 119.11
3"	$ 234.21	$ 268.22
4"	$ 416.36	$ 476.82
6"	$ 936.33	$ 1,072.29
8"	$ 1,665.04	$ 1,906.80
10"	$ 2,601.36	$ 2,979.08

(C) Fire Protection Service.

For each fire hydrant .	Per Annum Phase I $ 571.44	Phase II $654.36
2" connection	$ 62.84	$ 71.96
3" connection	$ 142.84	$ 163.60
4" connection	$ 251.40	$ 287.92
6" connection	$ 571.40	$ 654.36
8" connection	$ 1,017.04	$ 1,164.72
10" connection	$ 1,588.44	$ 1,819.08
12" connection	$ 2,285.52	$ 2,617.36
16" connection	$ 4,062.52	$ 4,652.40

(D) The rates and charges for water and fire protection service to the City of New Haven are as follows:

	Phase I	Phase II
Demand charge (per month)	$8,121.43	$9,300.66
Commodity charge (per 100 cubic feet of water metered)	$1.0899	$1.24816

Service charge (per month)

- Based on Meter Size using In-City Rates and Charges

Adopted and approved this 11th day of January, 2012.

City of Fort Wayne
Board of Public Works

Date: January 11, 2012

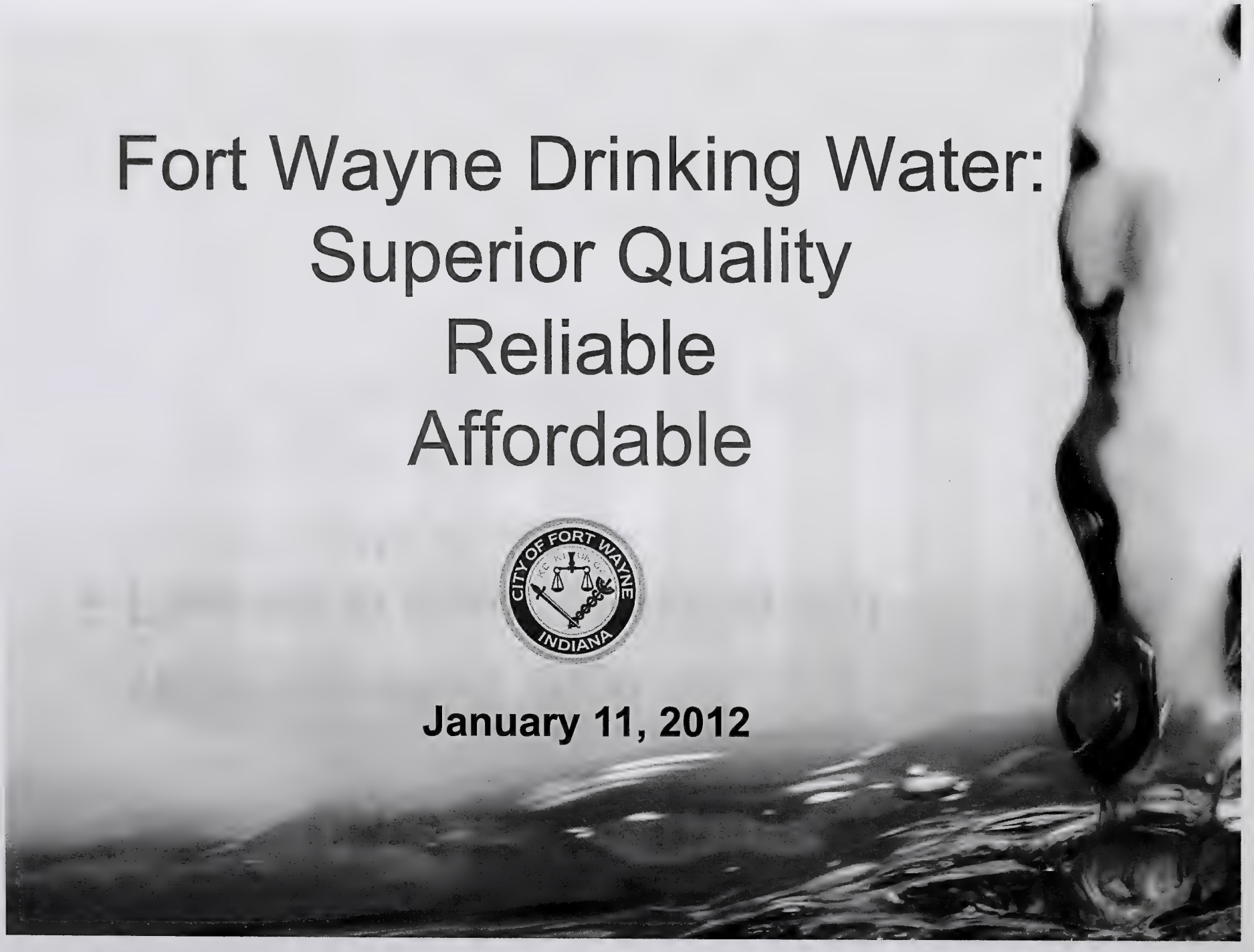
Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

Attest: Victoria Edwards
Victoria Edwards, Clerk

Fort Wayne Drinking Water: Superior Quality Reliable Affordable

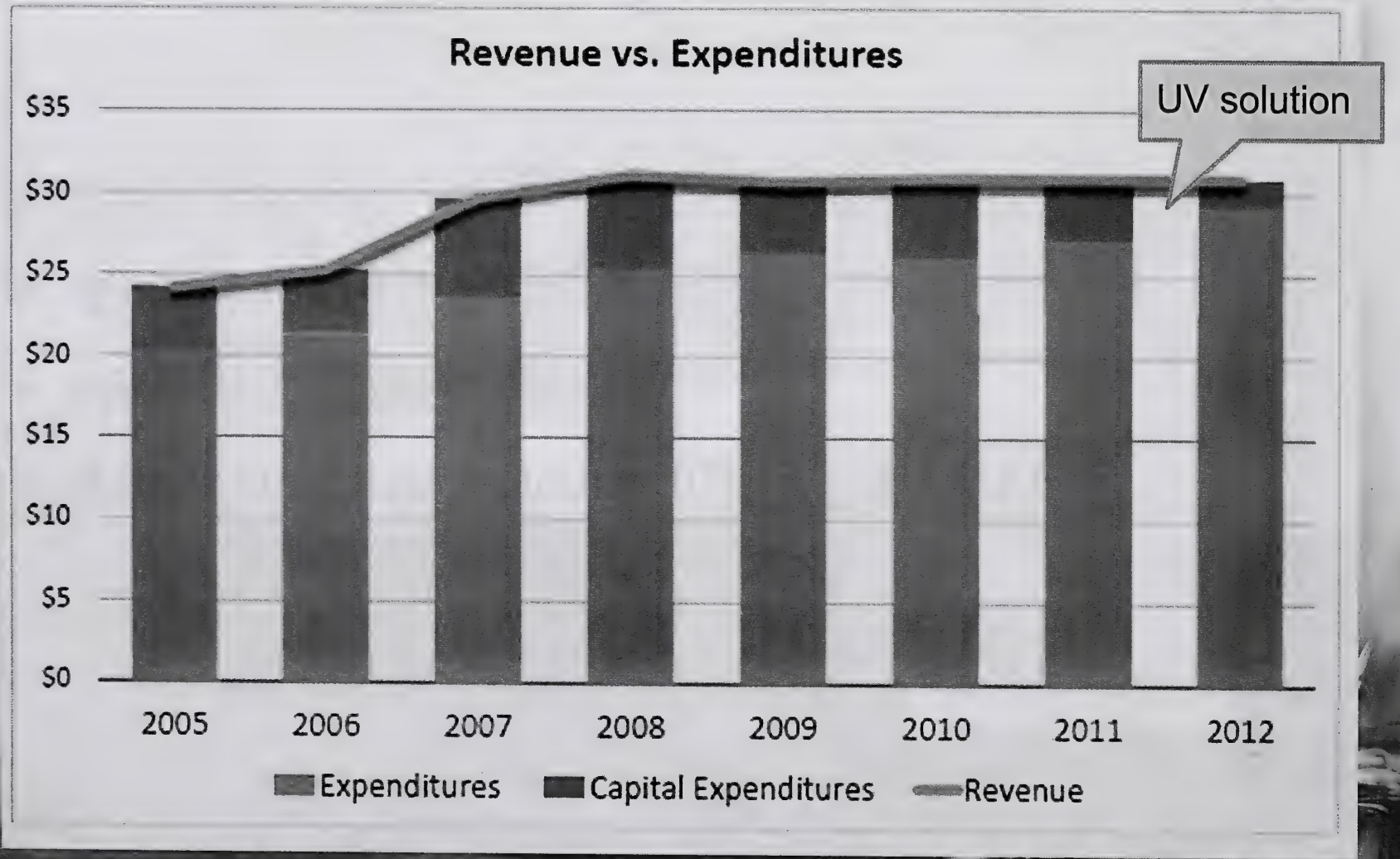


January 11, 2012

Last Rate Increase

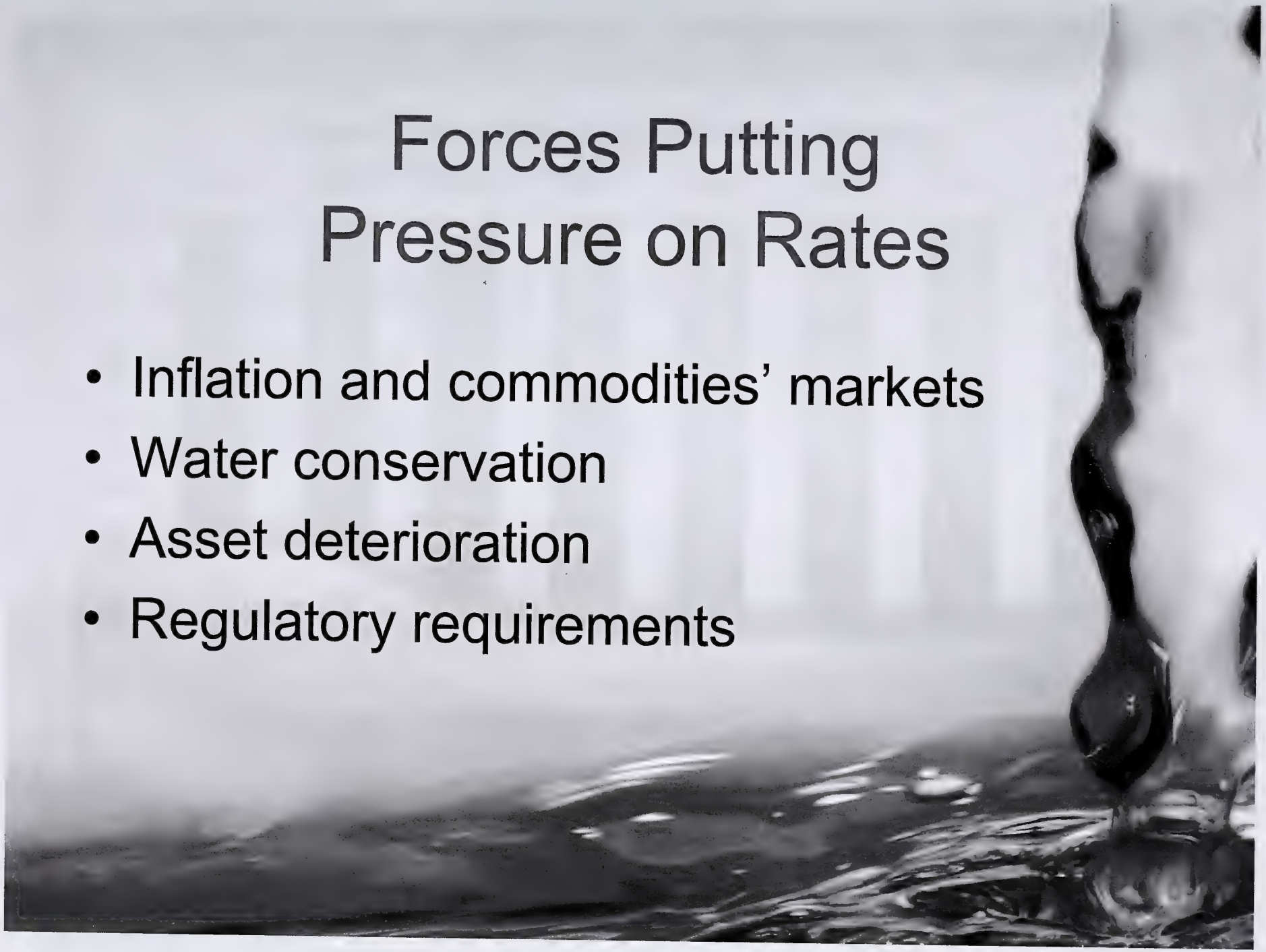
- Went into effect 2006
- Planned to cover spending and investments in 2006
- Funding for projects:
  - St. Joe Dam electrical and pump improvements
  - Filtration Plant filter valve upgrades
  - Filtration Plant North Pump building/new pumps and electrical

Revenue vs. Expenditures

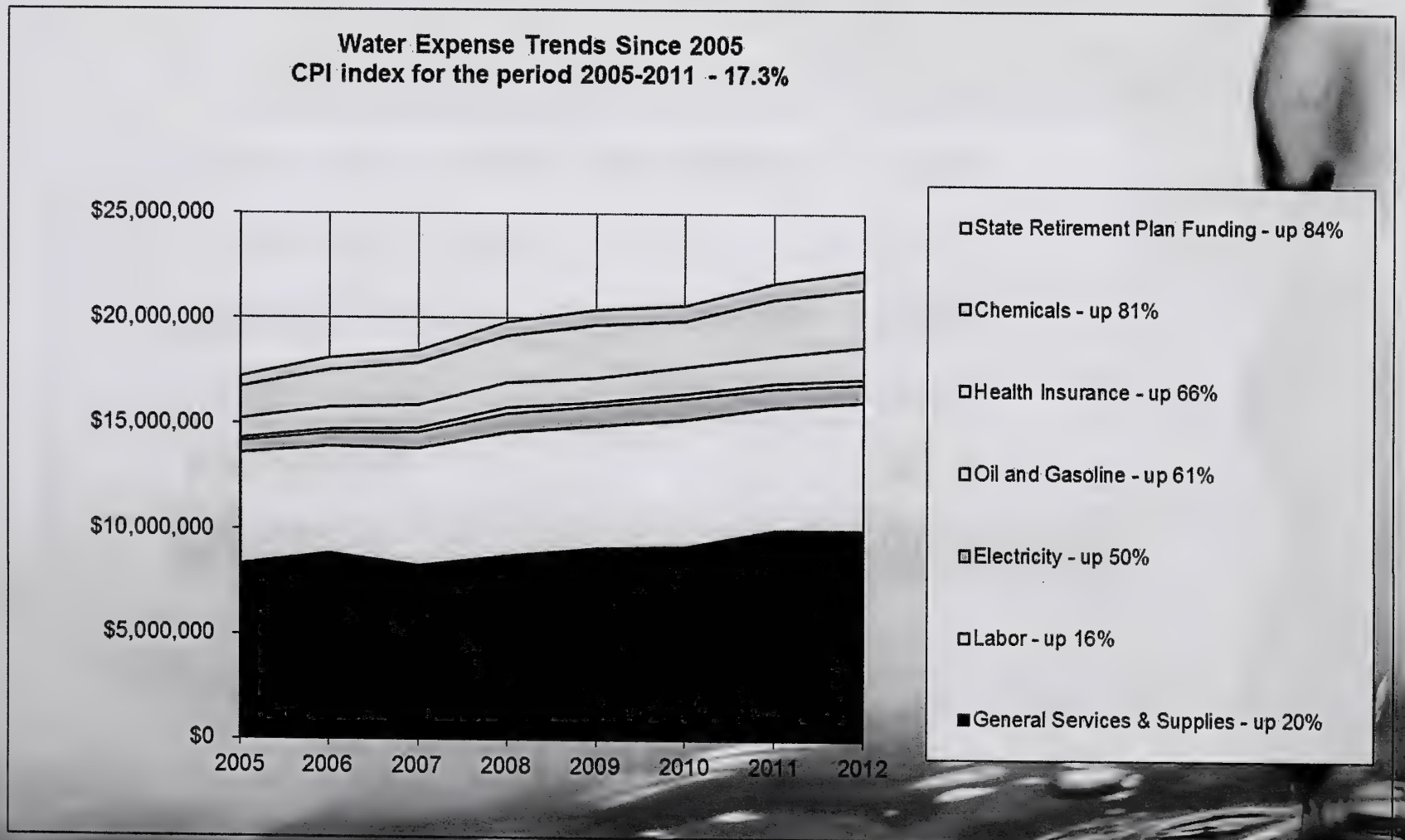


Forces Putting Pressure on Rates

- Inflation and commodities' markets
- Water conservation
- Asset deterioration
- Regulatory requirements



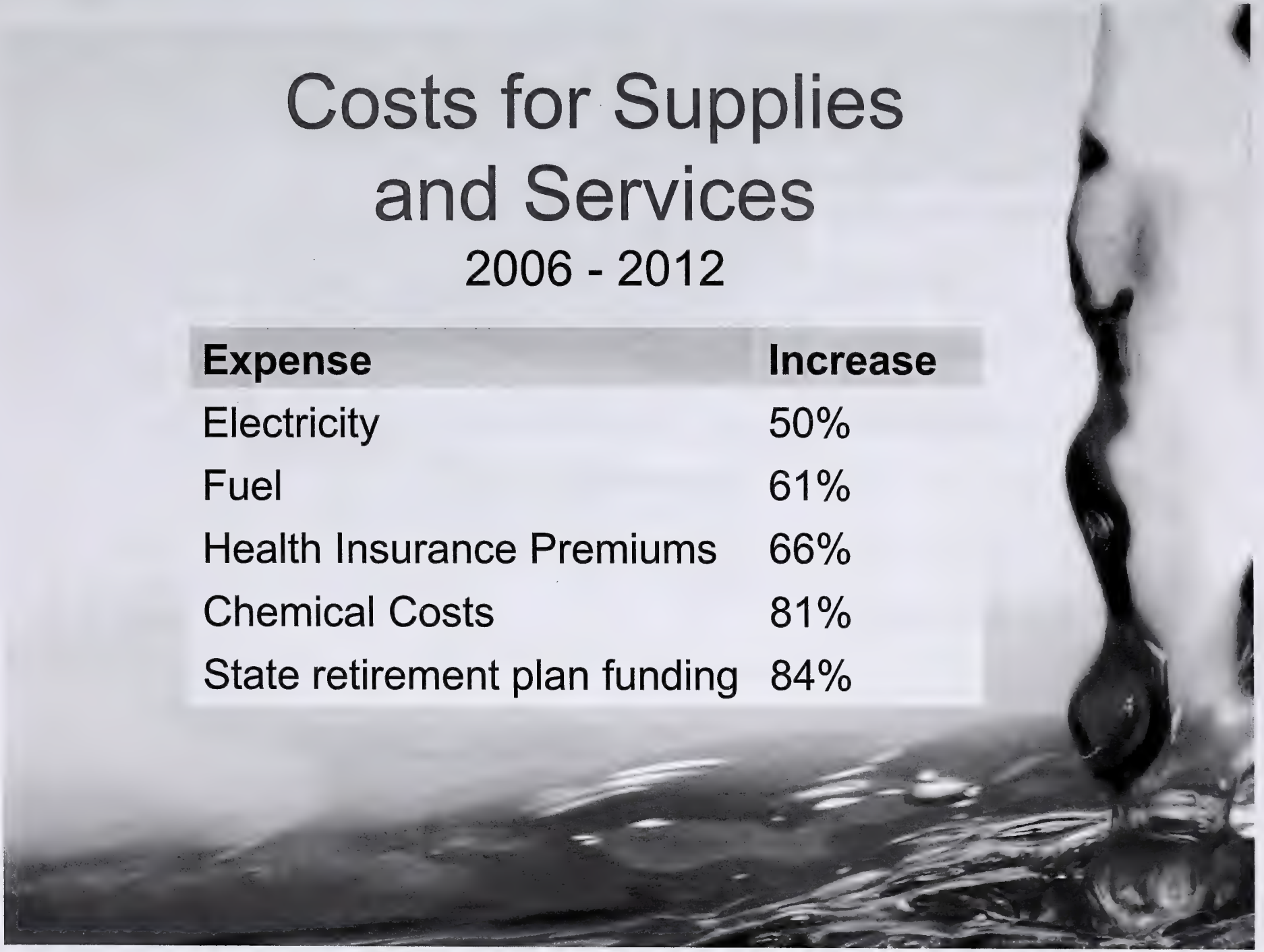
Cost Drivers



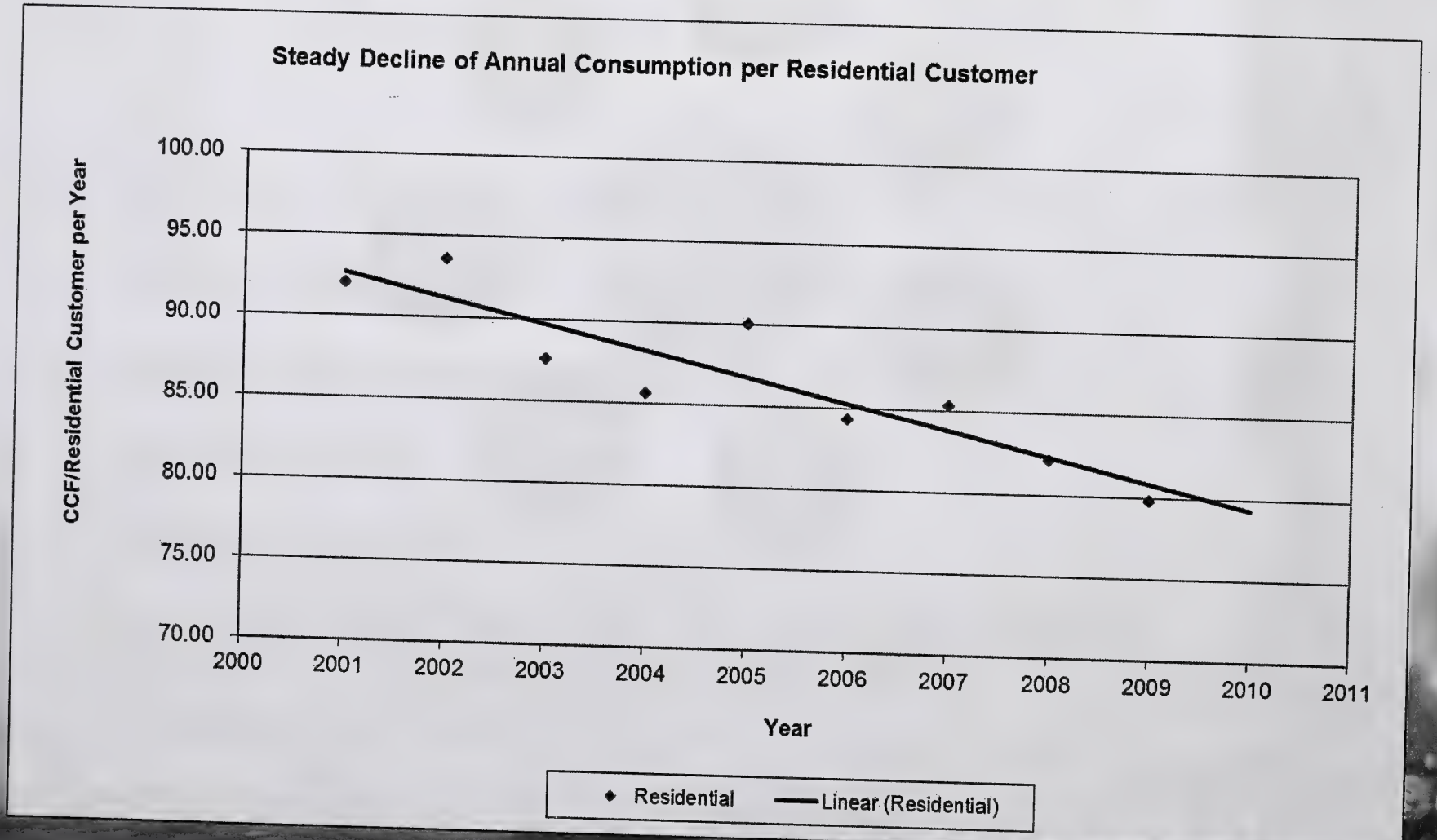
Costs for Supplies and Services

2006 - 2012

Expense	Increase
Electricity	50%
Fuel	61%
Health Insurance Premiums	66%
Chemical Costs	81%
State retirement plan funding	84%

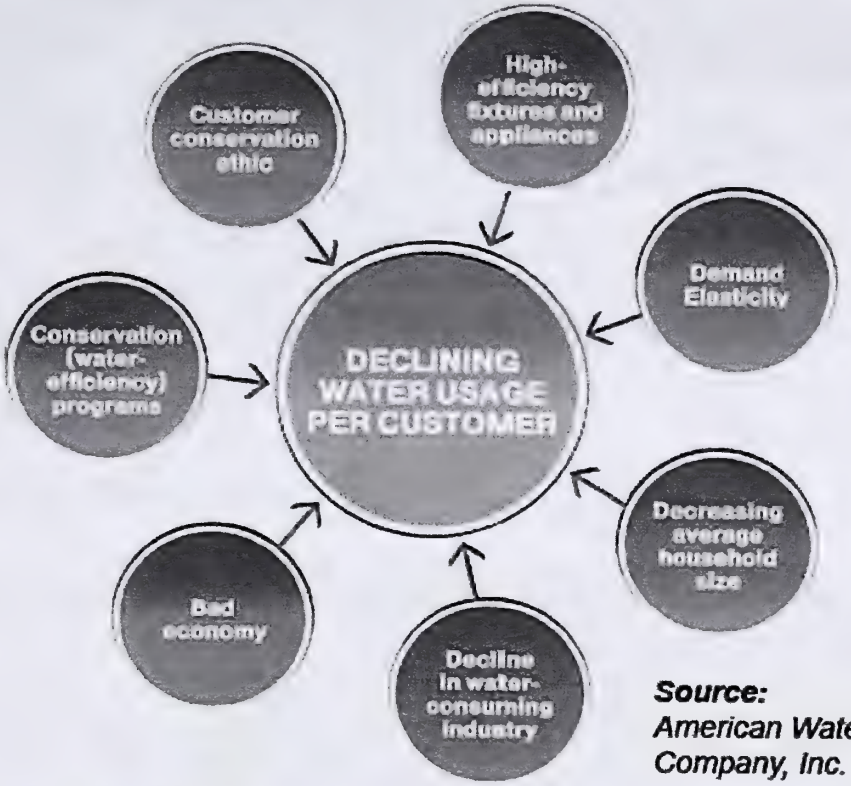


Average Residential Water Use



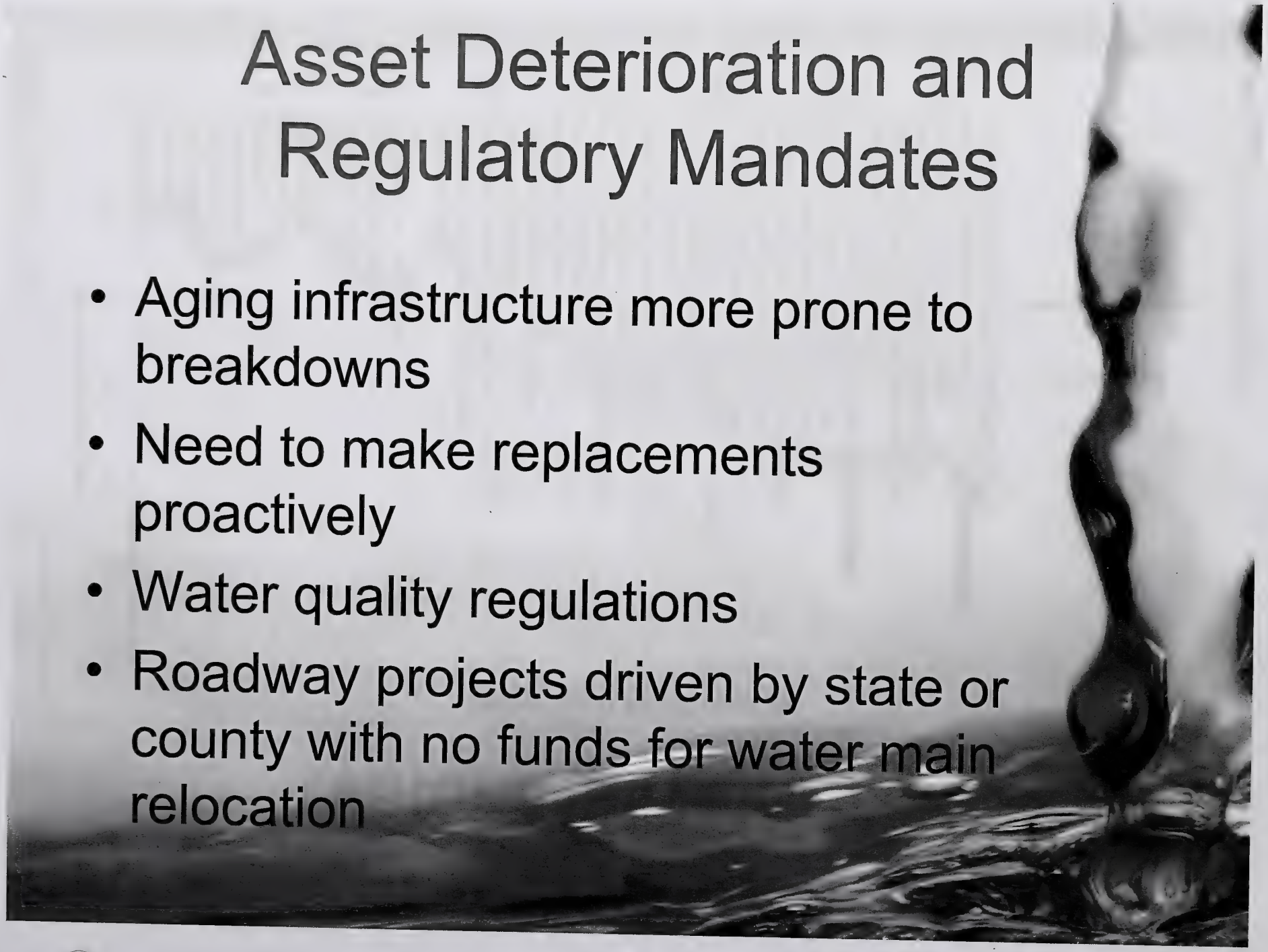
Average Residential Water Use

Declining Trends in Per Capita Water Consumption



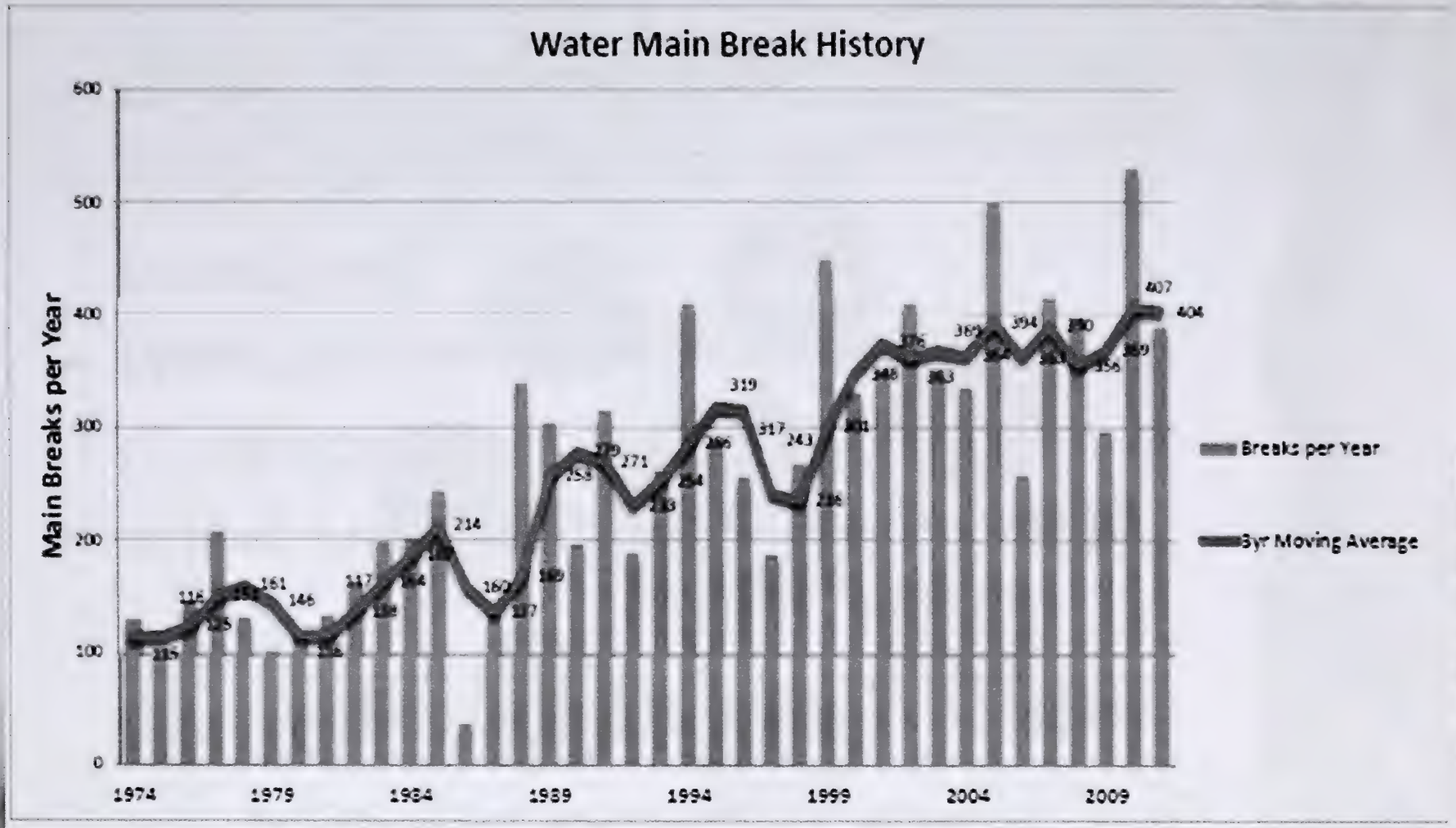
Source:
American Water Works Company, Inc.

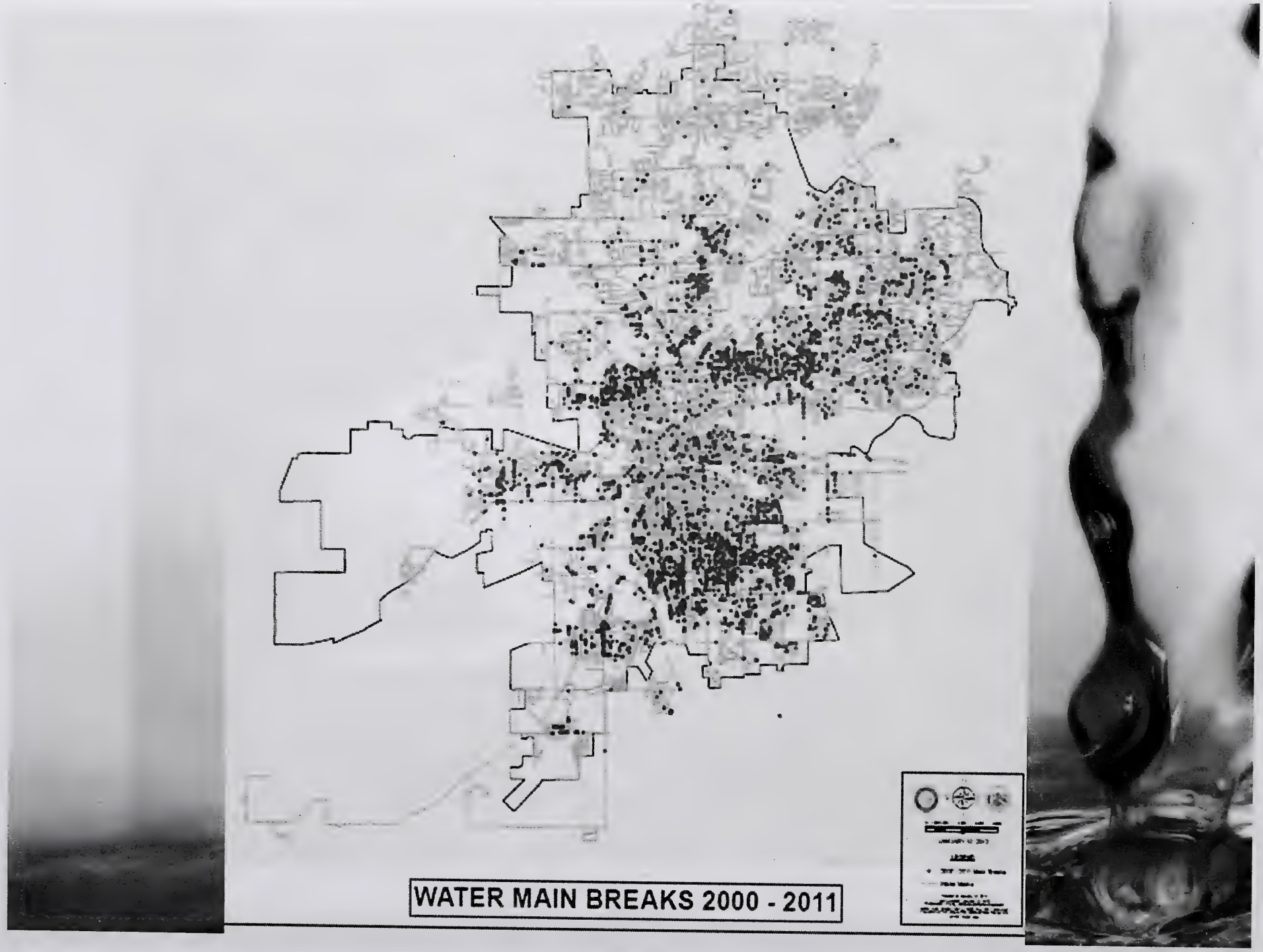
Asset Deterioration and Regulatory Mandates



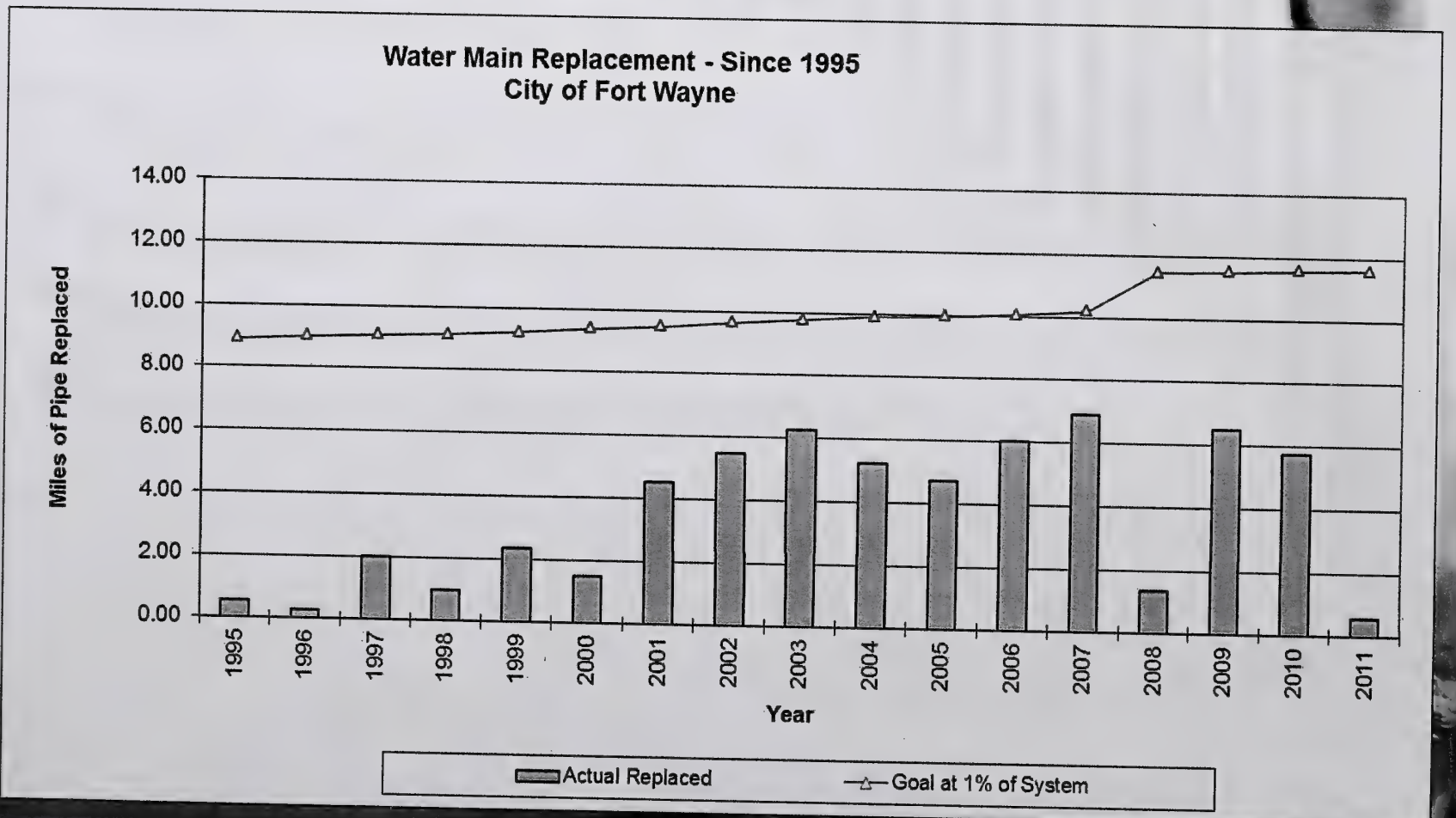
- Aging infrastructure more prone to breakdowns
- Need to make replacements proactively
- Water quality regulations
- Roadway projects driven by state or county with no funds for water main relocation

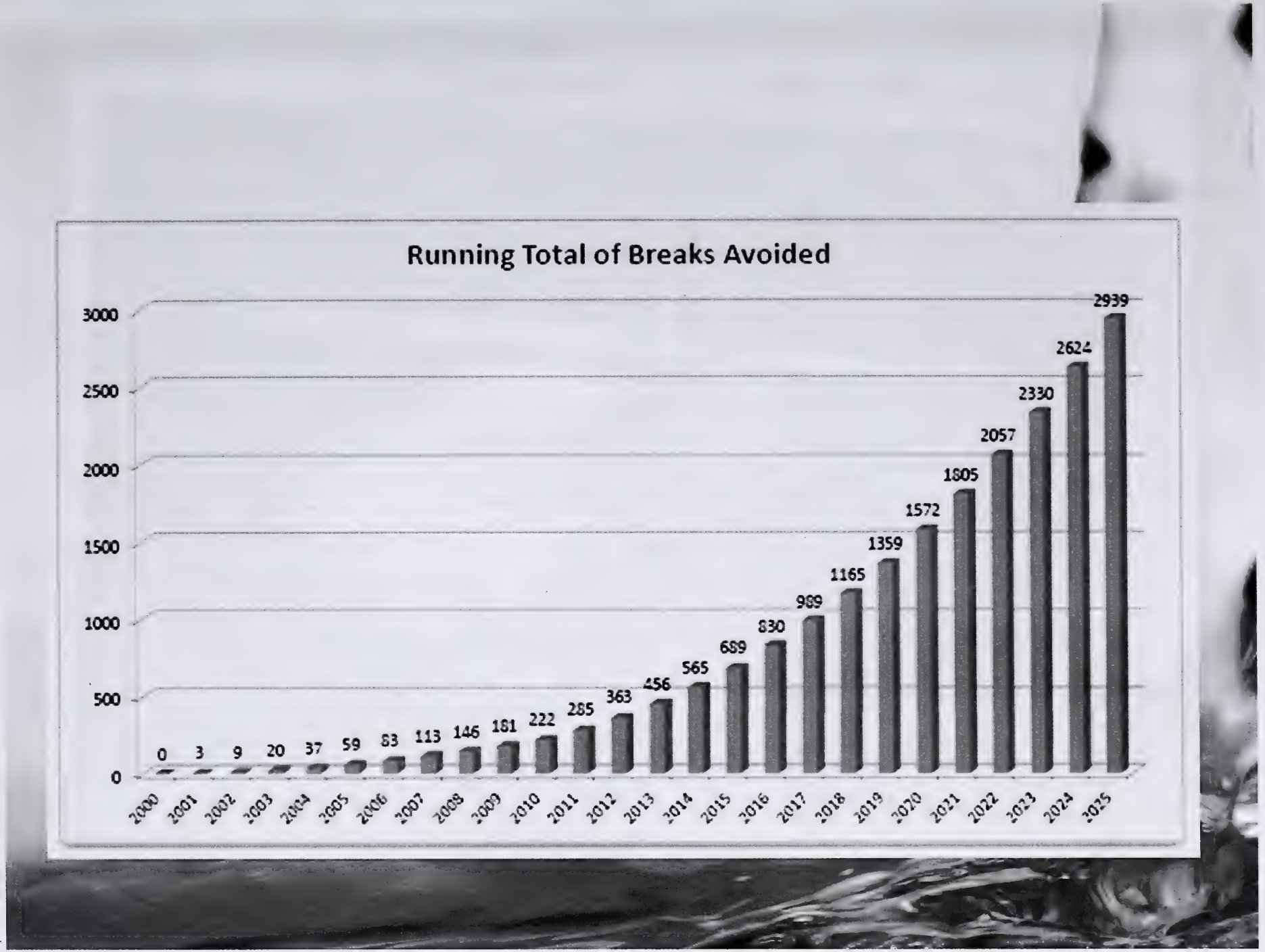
Water Main Breaks




WATER MAIN BREAKS 2000 - 2011

Water Main Replacement Program




Running Total of Breaks Avoided
3000
2500
2000
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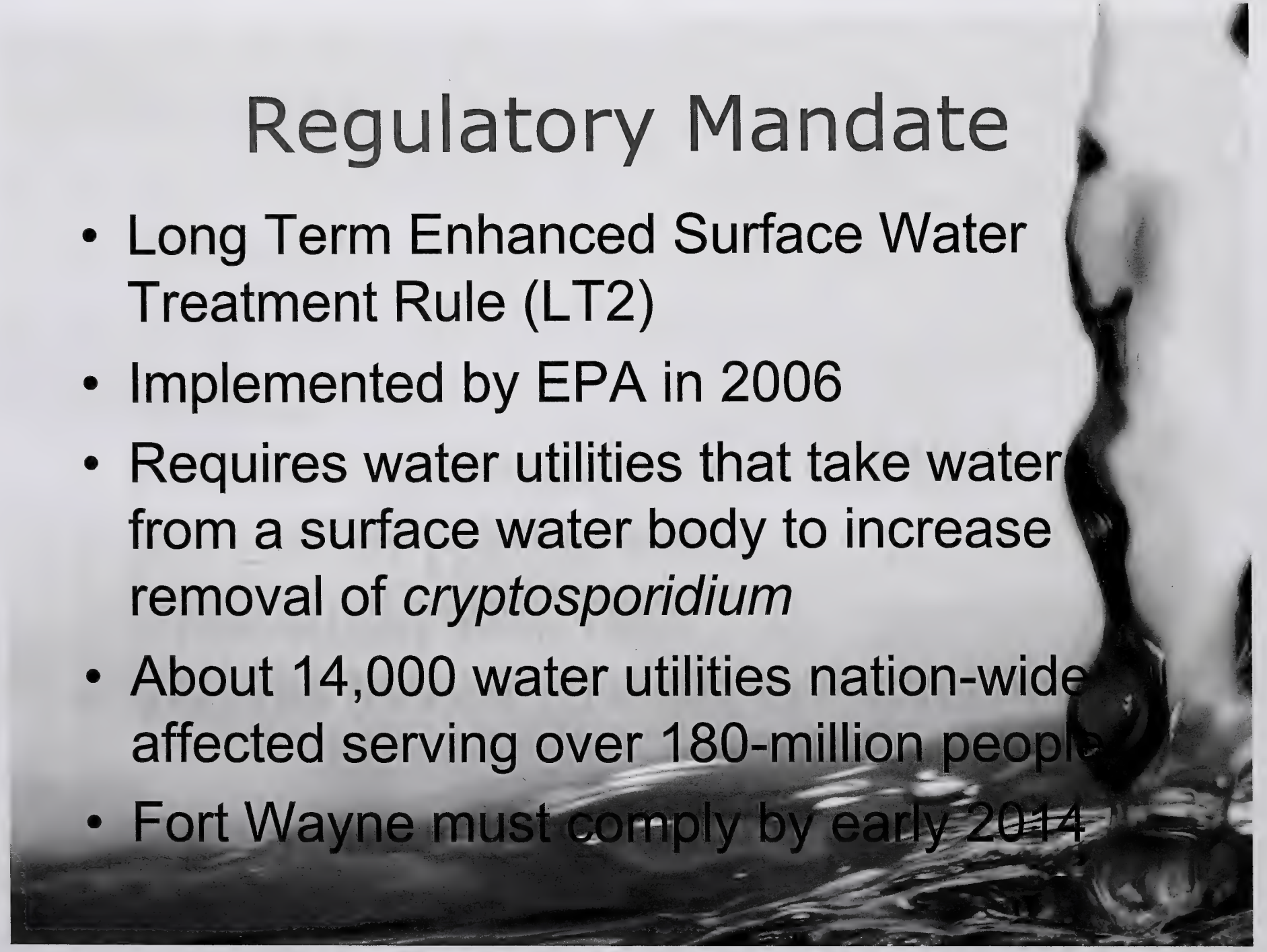
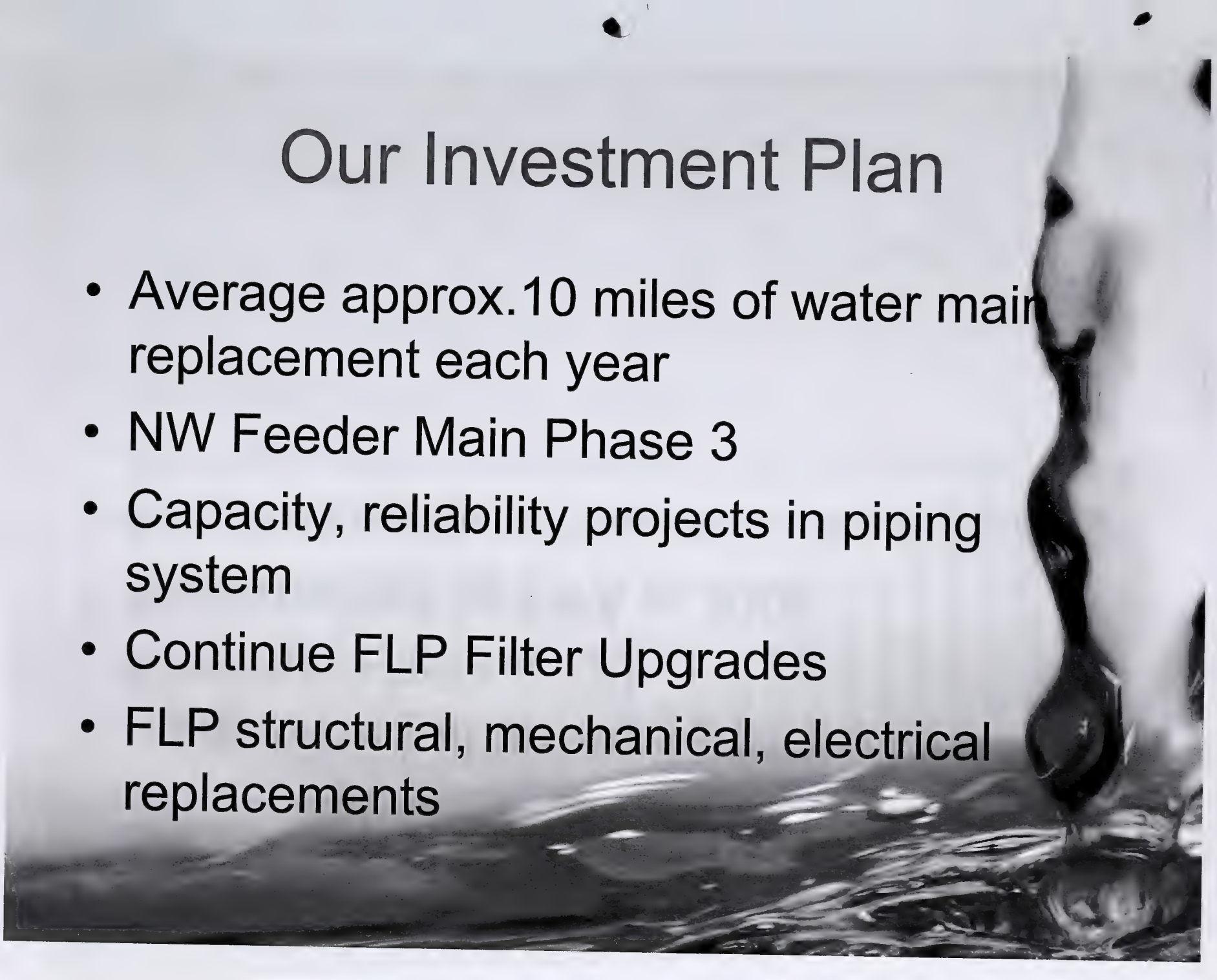
Regulatory Mandate

- Long Term Enhanced Surface Water Treatment Rule (LT2)
- Implemented by EPA in 2006
- Requires water utilities that take water from a surface water body to increase removal of *cryptosporidium*
- About 14,000 water utilities nation-wide affected serving over 180-million people
- Fort Wayne must comply by early 2014

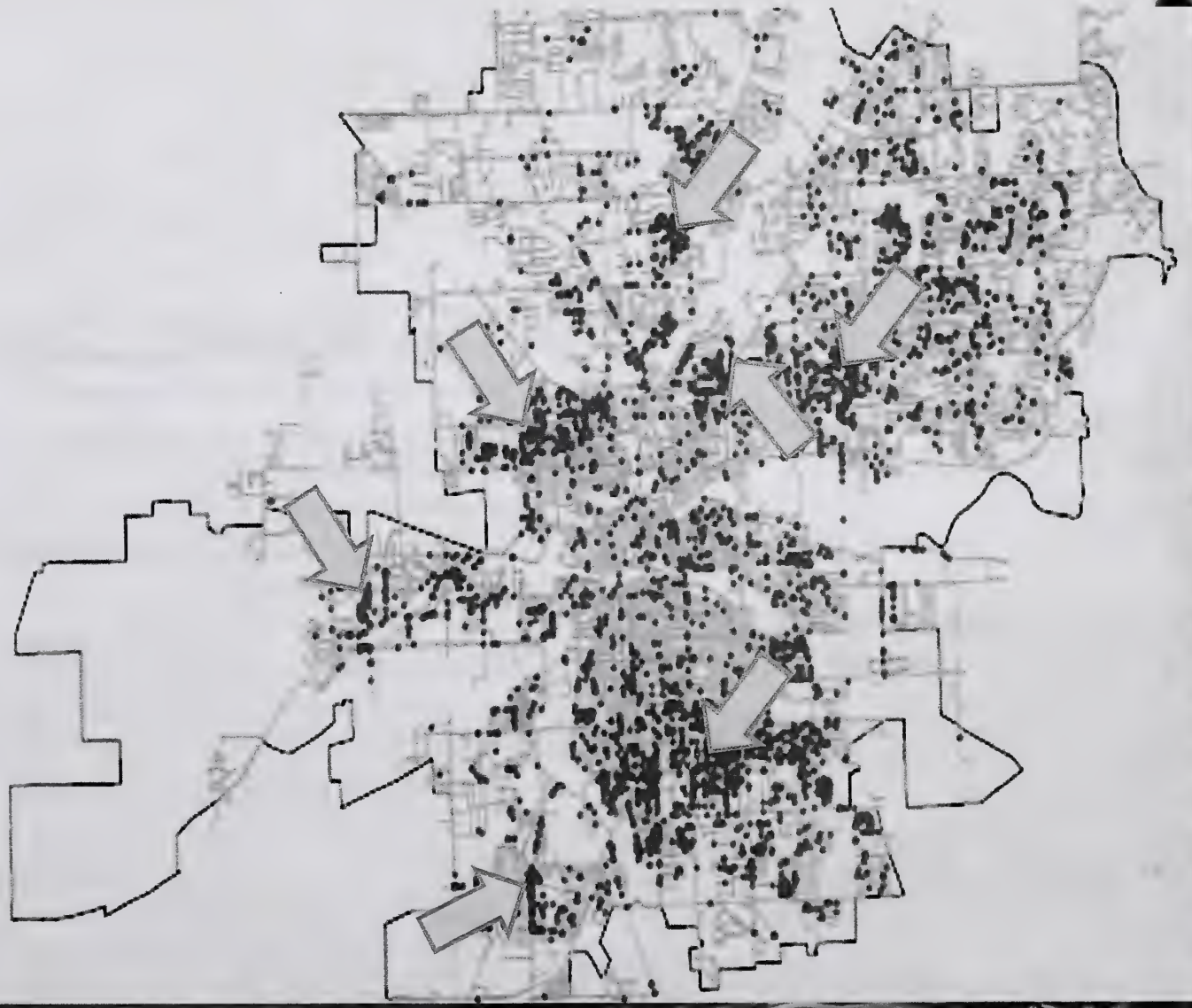


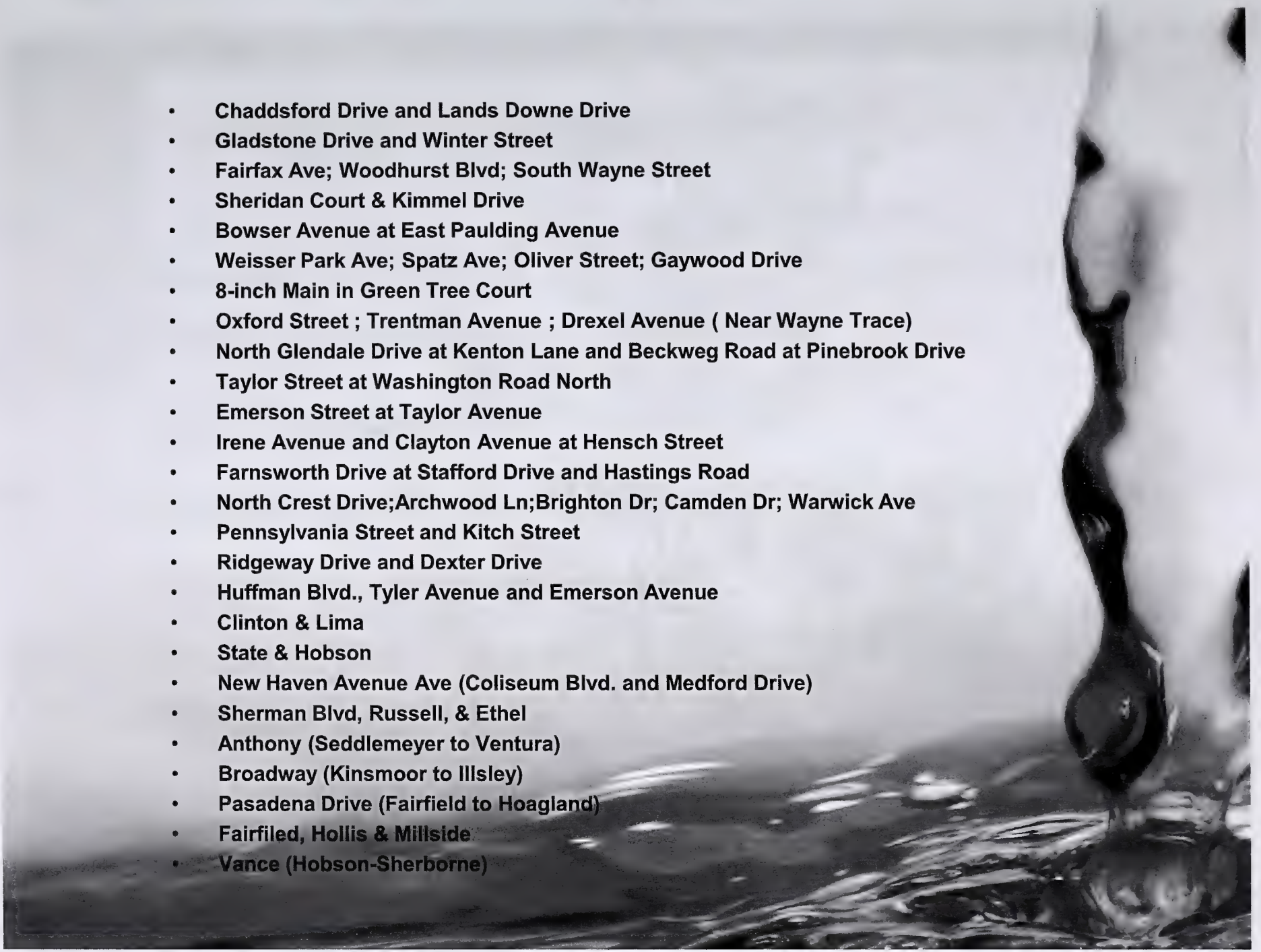
Our Investment Plan

- Average approx.10 miles of water main replacement each year
- NW Feeder Main Phase 3
- Capacity, reliability projects in piping system
- Continue FLP Filter Upgrades
- FLP structural, mechanical, electrical replacements



Water Main Replacement

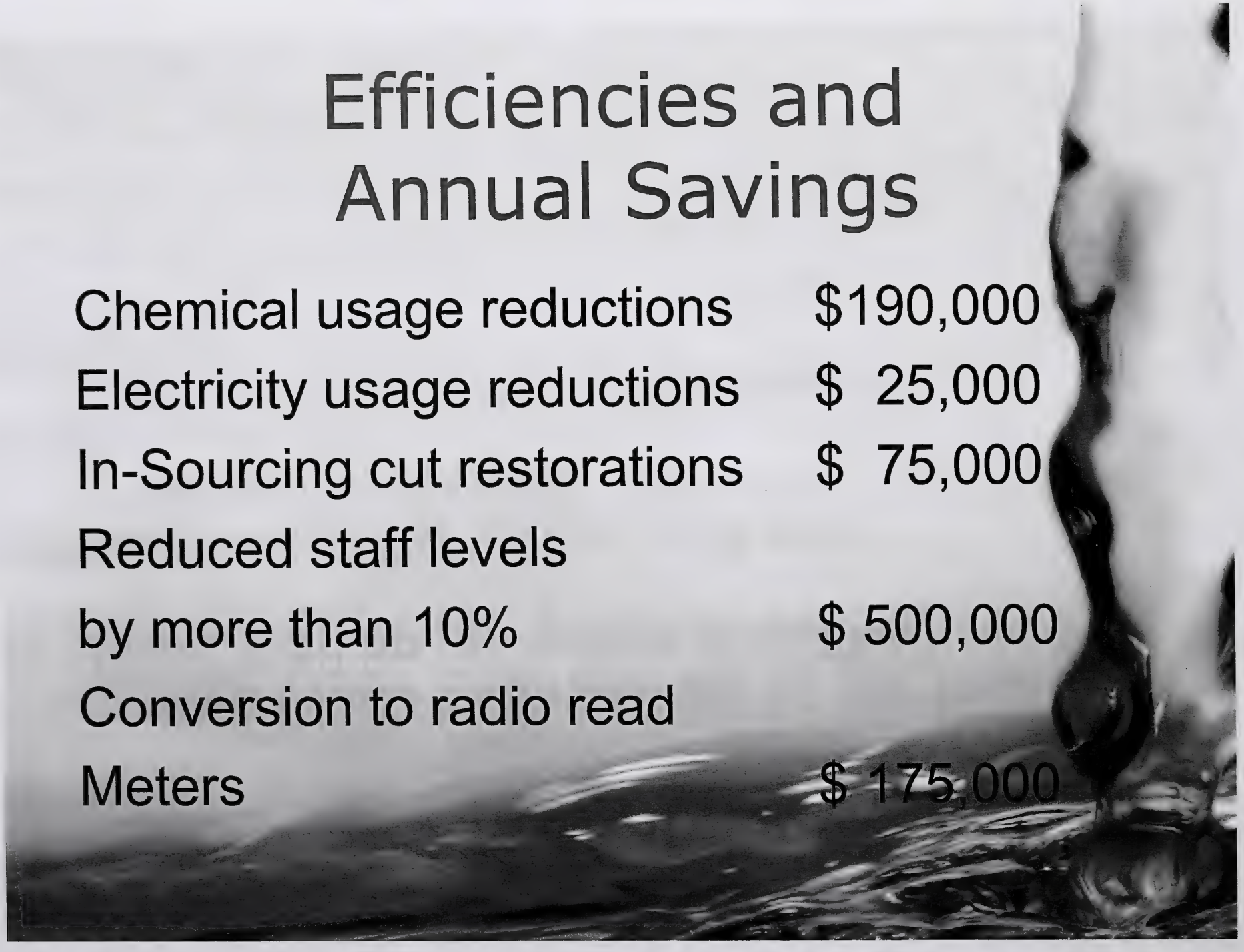




- Chaddsford Drive and Lands Downe Drive
- Gladstone Drive and Winter Street
- Fairfax Ave; Woodhurst Blvd; South Wayne Street
- Sheridan Court & Kimmel Drive
- Bowser Avenue at East Paulding Avenue
- Weisser Park Ave; Spatz Ave; Oliver Street; Gaywood Drive
- 8-inch Main in Green Tree Court
- Oxford Street ; Trentman Avenue ; Drexel Avenue (Near Wayne Trace)
- North Glendale Drive at Kenton Lane and Beckweg Road at Pinebrook Drive
- Taylor Street at Washington Road North
- Emerson Street at Taylor Avenue
- Irene Avenue and Clayton Avenue at Hensch Street
- Farnsworth Drive at Stafford Drive and Hastings Road
- North Crest Drive;Archwood Ln;Brighton Dr; Camden Dr; Warwick Ave
- Pennsylvania Street and Kitch Street
- Ridgeway Drive and Dexter Drive
- Huffman Blvd., Tyler Avenue and Emerson Avenue
- Clinton & Lima
- State & Hobson
- New Haven Avenue Ave (Coliseum Blvd. and Medford Drive)
- Sherman Blvd, Russell, & Ethel
- Anthony (Seddlemeyer to Ventura)
- Broadway (Kinsmoor to Illsley)
- Pasadena Drive (Fairfield to Hoagland)
- Fairfiled, Hollis & Millside
- Vance (Hobson-Sherborne)

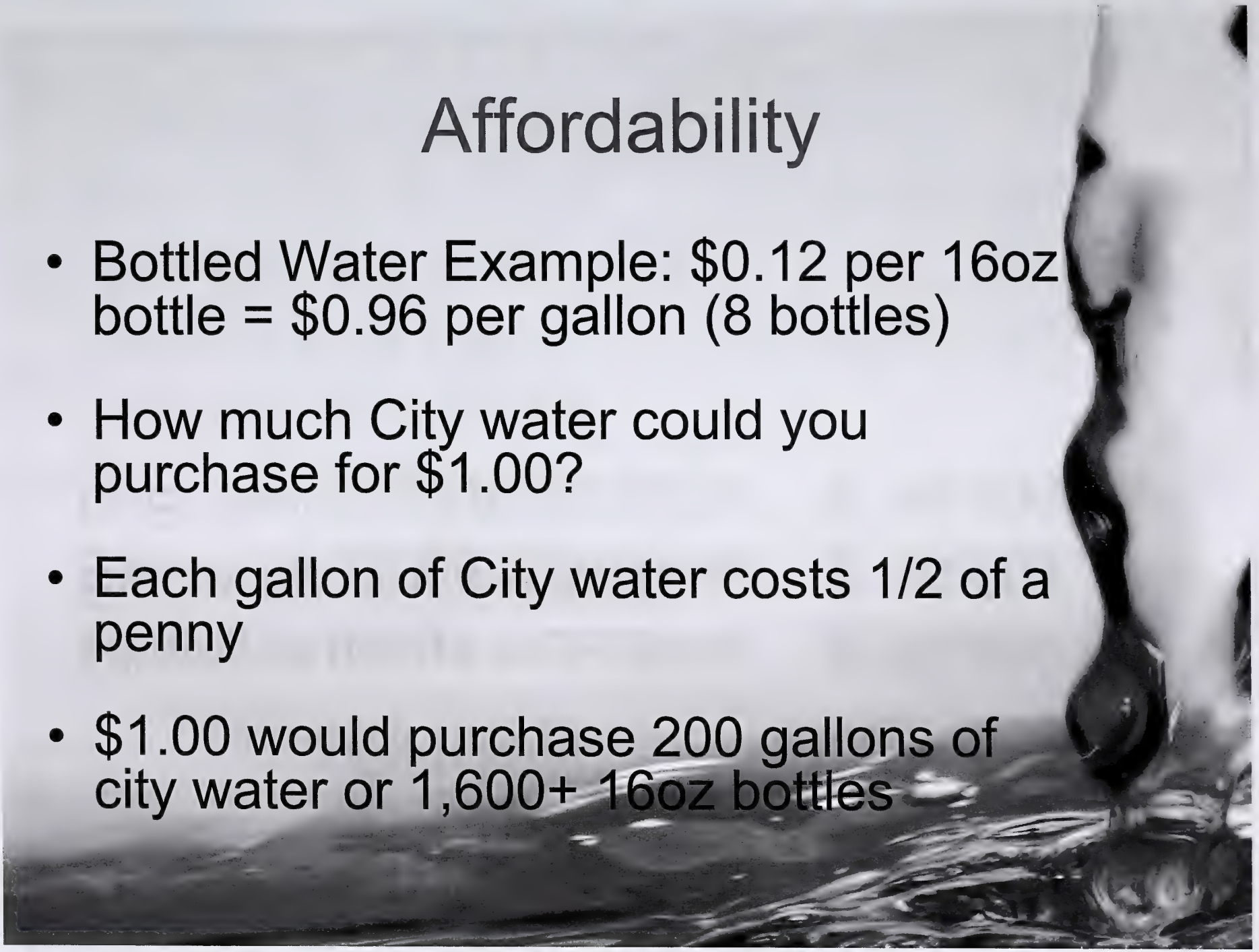
Efficiencies and Annual Savings

Chemical usage reductions	$190,000
Electricity usage reductions	$ 25,000
In-Sourcing cut restorations	$ 75,000
Reduced staff levels by more than 10%	$ 500,000
Conversion to radio read Meters	$ 175,000



Affordability

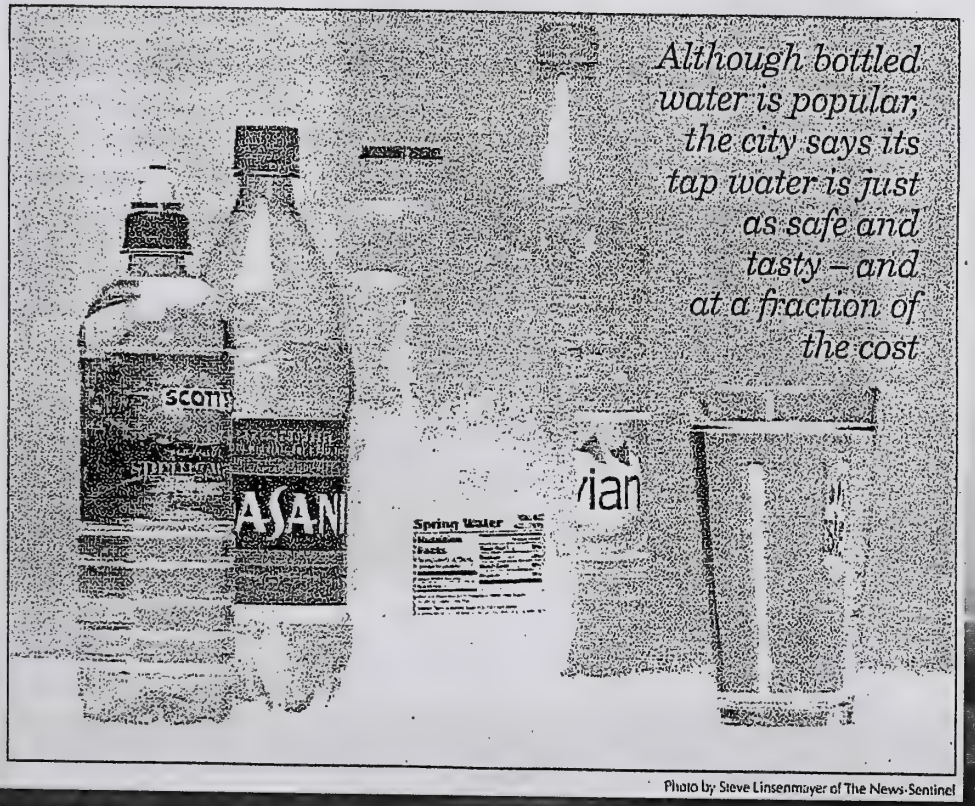
- Bottled Water Example: $0.12 per 16oz bottle = $0.96 per gallon (8 bottles)
- How much City water could you purchase for $1.00?
- Each gallon of City water costs 1/2 of a penny
- $1.00 would purchase 200 gallons of city water or 1,600+ 16oz bottles



Safe & Great Tasting

RECOGNITION FOR CITY UTILITIES

LIQUID ASSETS

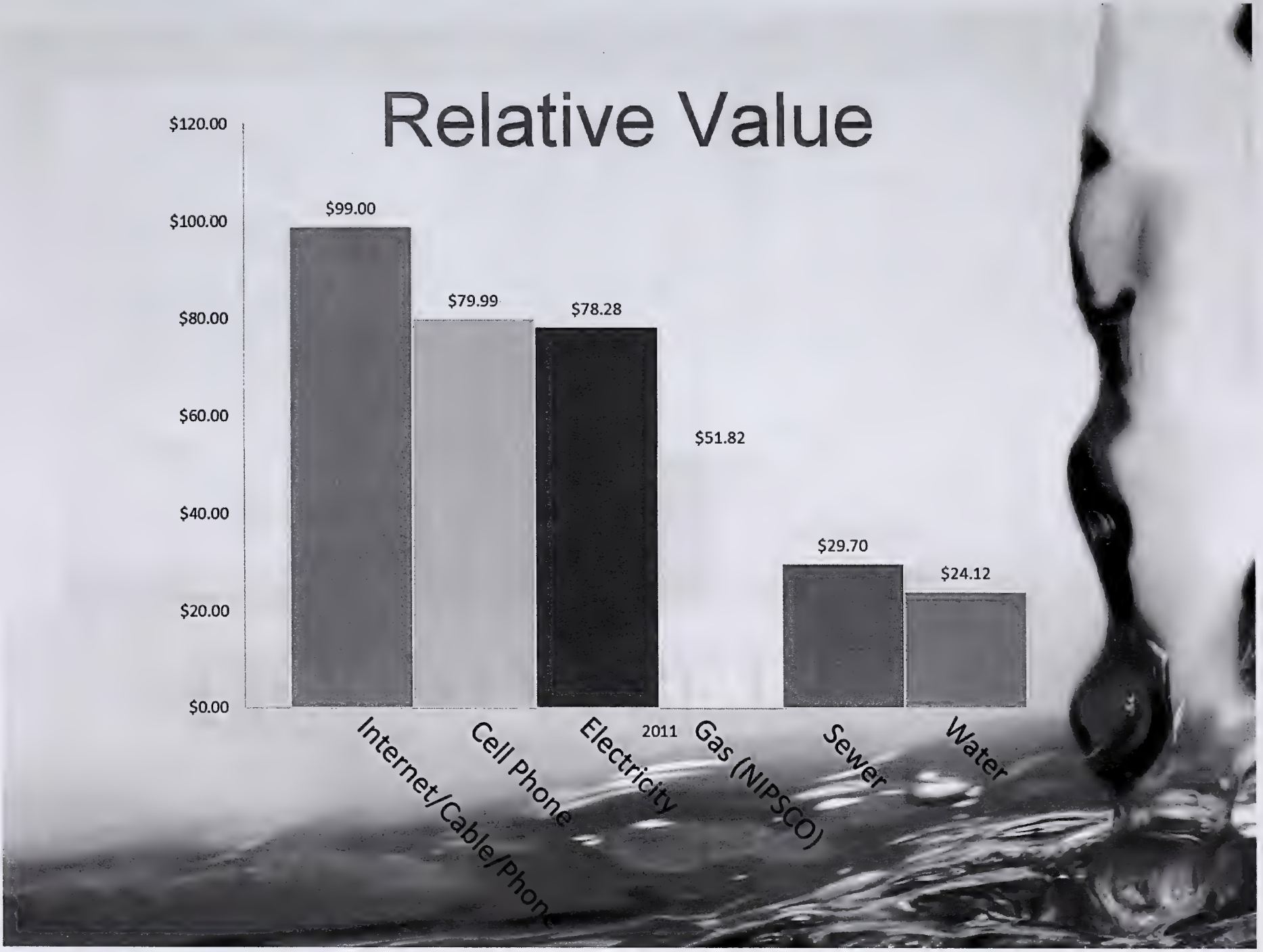


Although bottled water is popular, the city says its tap water is just as safe and tasty – and at a fraction of the cost

Photo by Steve Linsenmayer of The News-Sentinel

Favorite sample:

- Five chose Fort Wayne City Utilities tap water.
- Three chose Dasani.
- Three chose Scott's.
- Two chose Evian.
- Five people guessed incorrectly that the Evian sample was city water.
- Three thought Scott's water was city water.
- Three thought Dasani was city water.
- Two guessed correctly.


Relative Value
$120.00
$100.00
$80.00
$60.00
$40.00
$20.00
$0.00
$99.00
$79.99
$78.28
$51.82
$29.70
$24.12
Internet/Cable/Phone
Cell Phone
Electricity
2011
Gas (NIPSCO)
Sewer
Water

Water Bills – 12 County Region

City/Town	Water Provider	Residential Monthly Water Billing for 5,000 gallons 2011/Pre-tax
Churubusco (Whitley)	Municipal	$ 40.43
Defiance, OH (Defiance)	Municipal	$ 37.92
Huntington (Huntington)	Municipal	$ 35.86
Aqua Indiana	Private	$ 35.26
Huntertown (Allen)	Municipal	$ 31.65
Bluffton (Wells)	Municipal	$ 30.12
Ashley (DeKalb)	Municipal	$ 29.53
Bryan, OH (Williams)	Municipal	$ 28.73
New Haven (Allen)	Municipal	$ 28.43
Kendalville (Noble)	Municipal	$ 27.76
Angola (Steuben)	Municipal	$ 27.70
Butler (DeKalb)	Municipal	$ 27.30
Van Wert, OH (Van Wert)	Municipal	$ 26.68
Paulding, OH (Paulding)	Municipal	$ 23.09
Auburn (DeKalb)	Municipal	$ 22.31
Warren (Huntington)	Municipal	$ 22.22
Decatur (Adams)	Municipal	$ 22.14
Garrett (DeKalb)	Municipal	$ 21.60
Columbia City (Whitley)	Municipal	$ 19.53
Ft Wayne	**Municipal**	**$ 17.25**
Berne (Adams)	Municipal	$ 11.66

2013	2014
$ 21.09	$24.12

Water Bills – Indiana

City/Town	Water Provider	Effective Date	Residential Monthly Billing for 5,000 gallons pre-tax
Gary	Private	2010	52.96
Greenwood	Private	2010	46.54
Kokomo	Private	2010	46.54
Muncie	Private	2010	46.54
New Albany	Private	2010	46.54
Noblesville	Private	2010	46.54
Richmond	Private	2010	46.54
Terre Haute	Private	2010	46.54
Jeffersonville	Private	2010	46.54
Portage	Private	2010	42.96
Mishawaka*	Municipal	2002	30.72
Fishers	Municipal	2011	28.64
Indianapolis	Public Trust	2011	28.64
Lawrence*	Municipal	2008	28.54
Anderson	Municipal	2007	24.90
Bloomington	Municipal	2012	24.54
Evansville*	Municipal	2010	17.51
Fort Wayne	Municipal	2006	17.25
Elkhart	Municipal	2007	15.46
Carmel (1)	Municipal	2008	15.05
South Bend	Municipal	2006	13.44
Columbus	Municipal	1992	13.08
Lafayette	Municipal	2007	12.13
Hammond	Municipal	1985	5.20

(1) Rate increase expected.

* Denotes 1" meter.

Prepared by Crowe Horwath, LLP

2013	2014
$ 21.09	$24.12

Water Bills -- National

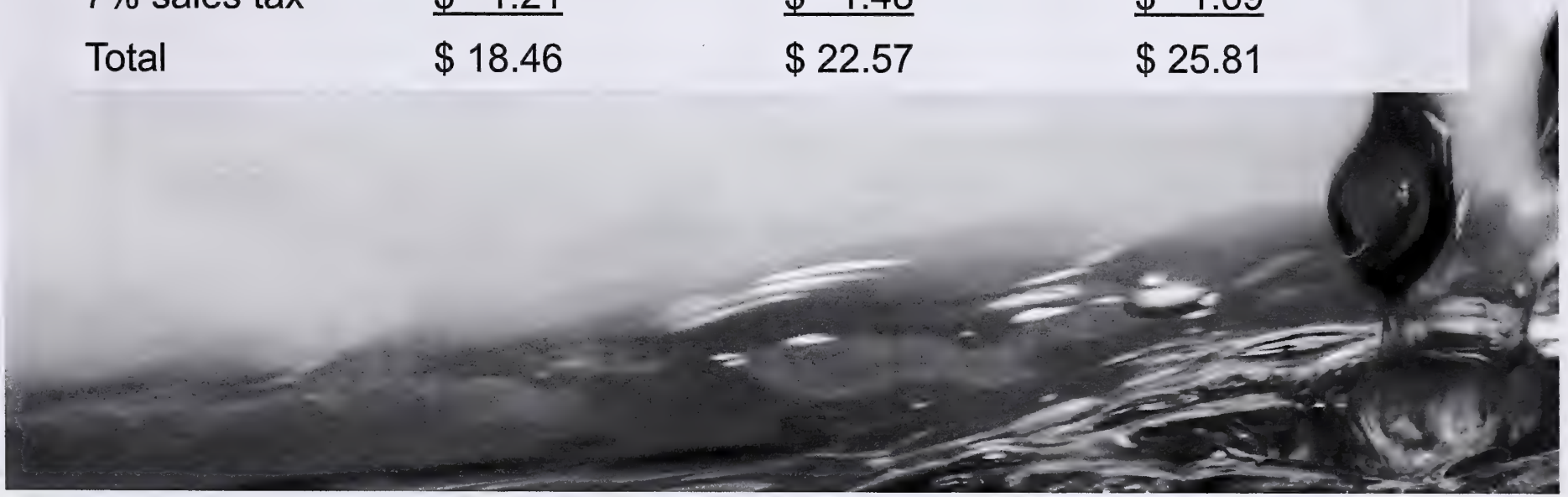
City/Town	Water Provider	Effective Date	Residential Monthly Billing for 5,000 gallons pre-tax
Columbus	Municipal	2011	$ 44.14
Pittsburgh	Municipal	2012	36.05
Lexington	Municipal	2010	35.46
Baltimore	Municipal	2011	29.34
Norfolk	Municipal	2011	27.79
Cincinnati	Municipal	2011	22.37
Madison	Municipal	2011	20.03
Akron	Municipal	2011	19.42
Springfield	Municipal	Increase expected	19.24
Milwaukee	Municipal	2011	17.98
Fort Wayne	Municipal	2006	17.25
Detroit	Municipal	2011	16.89
Greensboro	Municipal	2011	16.21
St. Paul	Municipal	2011	15.83
Lincoln	Municipal	2011	12.40
Toledo	Municipal	2011	8.17

Prepared by Crowe Horwath, LLP

2013	2014
$ 21.09	$24.12

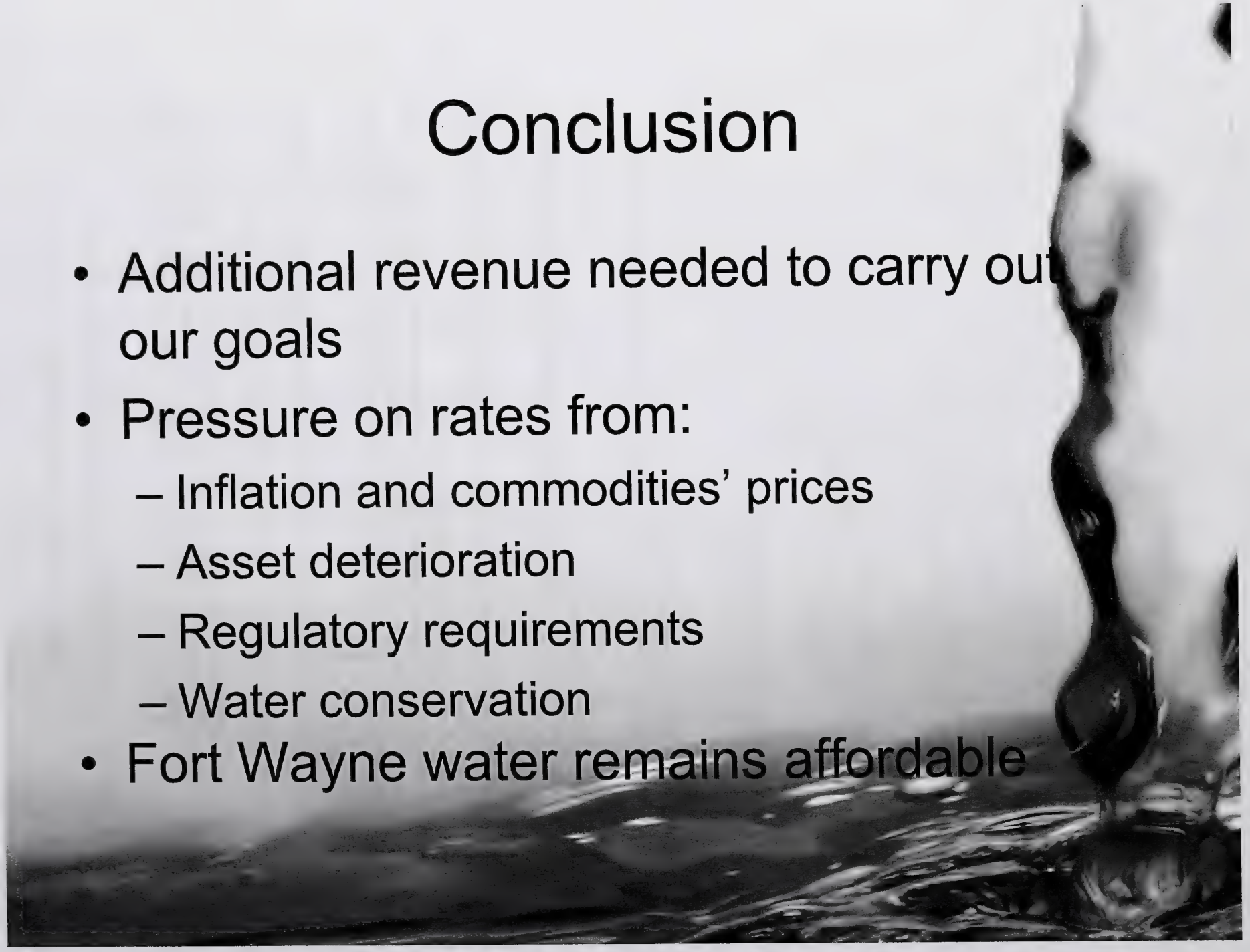
Monthly Water Bill
Residential

	2011	2013	2014
5,000 gallons	$ 9.95	$ 12.16	$ 13.89
¾ inch meter	$ 7.30	$ 8.93	$ 10.23
	$ 17.25	$ 21.09	$ 24.14
7% sales tax	$ 1.21	$ 1.48	$ 1.69
Total	$ 18.46	$ 22.57	$ 25.81



Conclusion

- Additional revenue needed to carry out our goals
- Pressure on rates from:
  - Inflation and commodities' prices
  - Asset deterioration
  - Regulatory requirements
  - Water conservation
- Fort Wayne water remains affordable



MISCELLANEOUS RESOLUTION NO. 99-1-18-12-1

RESOLUTION: SIGNATORY AUTHORIZATION RESOLUTION

WHEREAS, the Board of Public Works of the City of Fort Wayne, Allen County, Indiana, herein called the Participant has plans for a wastewater infrastructure improvement project to meet State and Federal regulations and the Participant intends to proceed with the construction of such works:

WHEREAS, the Board of Public Works has adopted this Resolution dated January 18, 2012.

NOW, THEREFORE BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, the governing body of said community, that:

1. Kumar Menon, Director or Matthew Wirtz, Deputy Director be authorized to make application for a State Revolving Fund Loan ("SRF Loan") and provide the SRF Loan Program such information, data and documents pertaining to the loan process as may be required, and otherwise act as the authorized representatives of the Participant; and

2. The Participant agrees to comply with State and Federal requirements as they pertain to the SRF Loan Program; and

3. Two certified copies of this Resolution be prepared and submitted as part of the Participant's Preliminary Engineering Report.

PASSED AND ADOPTED by the City of Fort Wayne's Board of Public Works this **18th day of January 2012**, at its regularly scheduled meeting.

FORT WAYNE BOARD OF PUBLIC WORKS
BY AND THROUGH ITS BOARD MEMBERS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria G. Edwards, Clerk

MISCELLANEOUS RESOLUTION NO. 99-1-18-12-2

RESOLUTION: ACCEPTANCE OF PRELIMINARY ENGINEERING REPORT

WHEREAS, the Board of Public Works of the City of Fort Wayne, Allen County, Indiana, has caused a Preliminary Engineering Report, PER, dated **December 28, 2011**, to be prepared by the consulting firm of HomeTown Engineering, LLC; and

WHEREAS, said PER has been presented to the public at a public hearing held on **January 11, 2012**, in the Council Chambers, Room 035, Citizens Square, 200 East Main Street, Fort Wayne, Indiana, for public comment; and

WHEREAS, the Board of Public Works finds that there was not sufficient evidence presented in objection to the recommended project in the PER.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The City of Fort Wayne PER dated **December 28, 2011**be approved and adopted by the Board of Public Works; and

2. Said PER be submitted to the State Revolving Fund Loan Program for review and approval.

PASSED AND ADOPTED by the City of Fort Wayne's Board of Public Works this **18th day of January, 2012**, at its regularly scheduled meeting.

FORT WAYNE BOARD OF PUBLIC WORKS
BY AND THROUGH ITS BOARD MEMBERS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria G. Edwards, Clerk

WESTSIDE PUMP STATION & WEST TANK ELECTRICAL AND I&C IMPROVEMENTS
RESOLUTION NO. 2206-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **WESTSIDE PUMP STATION & WEST TANK ELECTRICAL AND I&C IMPROVEMENTS**

Said improvements involves the replacement of existing obsolete pump controllers, replacing a failed communication line to the West side tank and replacing the existing motor control center, adding variable frequency drives for the pumps.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue) and State Revolving Funds.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $200,000.

APPROVED THIS 18th DAY OF January, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: January 10, 2012

RE: 2009 Sewer SRF – Series A (STATE REVOLVING FUNDS) – **2009 ARRA**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$2,922.00.** These payments will be made with the 2009 Sewage Works State Revolving Fund Loan Program Series A (ARRA). These expenses are for the Woodrow Vance Rain Gardens and the CIPP 2011 Pkg. #1 Medium Diameter project.

Draw #70	Earth Source Inc.	$2,282.00
Draw #71	Engineering Technologies Inc.	130.00
Draw #72	City Utilities – Ft. Wayne Municipal Sewage Works	510.00
	Total Payments	$2,922.00

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

January 25, 212
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: January 17, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,071,442.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the Snider/Glenwood Sewer Separation project, the LTCP Program Management project, the CSSCIP Planning and Design project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the CSO Subbasin Hydraulic Modeling & Tech Memo project, the City Wide Temp Monitoring Project 2011, the Westlawn Sanitary Sewer project, WPCP Hydraulic & Process Analysis project, the Pontiac Street Sewer Separation project, the WPCP Digester Electrical Building & Structural Upgrades project, the LTCP Parallel Interceptors Routing Study Ph 1, the Hydraulic Modeling Assistance project, the CSO Outfall 52 Satellite Disinfection Preliminary Study and the WPCP Digester Gas Handling Improvements project.

Draw #316	ADS Environmental Services	$ 855.00
Draw #317	Black & Veatch Corp.	107,663.00
Draw #318	City Utilities – Ft. Wayne Municipal Sewage Works	30,608.00
Draw #319	Clark Dietz	29,338.00
Draw #320	Commonwealth Engineers	3,935.00
Draw #321	Construction Support Services	8,223.00
Draw #322 & #323	Donohue & Assoc.	6,996.00
Draw #324 & #325	GAI Consultants	77,214.00
Draw #326	Greeley & Hansen	44,990.00
Draw #327	Hagerman Inc. & Star Financial Bank	343,314.00
Draw #328	CH2M Hill	17,625.00
Draw #329	Hatch Mott MacDonald	8,143.00
Draw #330 & #331	Malcolm Pirnie/Arcadis	172,902.00
Draw #332 & #335	Robert E. Crosby	213,036.00
Draw #333	Tetra Tech Inc.	2,763.00
Draw #334	URS Corporation	3,837.00
	Total Payments	**$1,071,442.00**

Please see page 2 for signatures.

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

January 25, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: January 13, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B payments** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$804,446.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Pond Improvements project, the Headworks Biotrickling Filter project, the First Flush Bleedback project and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw #3, #4 & #5	CH2M Hill	$ 79,967.00
Draw #6	GAI Consultants	95,713.00
Draw #7	American Structurepoint	6,040.00
Draw #8	Engineering Technologies	20,898.00
Draw #9	Mason Engineering & Construction	83,268.00
Draw #10	Fleis & Vandenbrink	6,117.00
Draw #11	Fort Wayne Municipal Sewage Works	12,223.00
Draw #12	Spectrum Engineering	10,168.00
Draw #13	Weigand Construction & Lake City Bank	490,052.00
	Total Payments	$804,446.00

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

January 25, 2012
Date

EMERGENCY RESOLUTION NUMBER #99-2-1-12-1
922 to 936 LAKE AVENUE

WHEREAS, an existing 15" combination sewer has collapsed, in the alley behind 922 to 936 Lake Avenue,

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the clay combination sewer is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T&E Exc., Bercot, Bunn Exc. and Ironclad were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 1st day of February ,2012.

BOARD OF PUBLIC WORKS

By _____
Robert Kennedy, Chair

By _____
Kumar Menon, Member

By _____
John Suarez, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ALLEY BEHIND 922 to 936 LAKE AVENUE
COMBINATION SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair bid shall meet the following conditions:

ITEM NO. 1

The Contractor shall install a new 48" precast concrete manhole and a new precast concrete catch basin. The Contractor shall replace approximately 165 ft of 15" clay combination sewer line with SDR 35 PVC pipe. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone.
Locates have been called: IUPPS# 1201240782

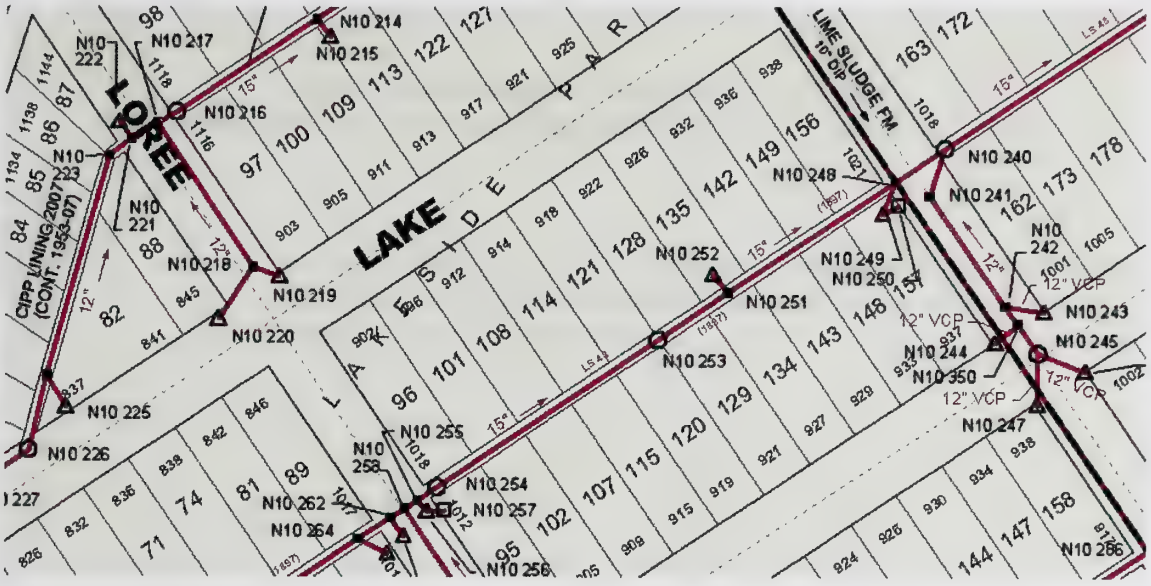
CONDITIONS OF WORK:

The Contractor that is awarded the emergency repairs shall be required to provide or comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual.
2. All Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and, in particular, open construction trench protection and confined space entry.
3. Contractor shall be required and be responsible for placing and maintaining temporary traffic barricades.
4. Contractor shall comply with all E.B.E. requirements through the City of Fort Wayne Compliance Office.
5. No soil borings are available, therefore Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction. Contractor shall have visited the site and familiarized himself/herself with all utilities, construction issues, conflicts and permanent structures prior to bidding this Work.
6. Contractor shall be responsible to temporarily protect or permanently replace or repair all existing utilities, if necessary, in the emergency repair site. Contractor shall protect any permanent structures on private property that may be affected during construction activities. If a permanent structure is damaged, Contractor shall repair or replace the damaged structure to equal of the appraised value or to the satisfaction of the private property owner. The Contractor would be responsible for obtaining any appraisals.
7. Contractor shall submit Monthly Report and Manpower Summary to the City Compliance Office, Room #420.
8. Contractor shall be required to obtain and adhere to any and all required permits, including a right of way cut permit and a street barricade permit, if necessary.
9. Contractor shall be responsible for the safety and security of the construction site, any stored materials, tools or equipment at the site, and any Work that has been performed.
10. The City of Fort Wayne shall be the sole judge as to the quality of the workmanship of the Contractor's Work.

11. This Work is "emergency" sewer repair work, and thus, the Contractor shall understand that time is of the essence. Work shall be performed with this in mind.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary to perform his/her construction activities. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners, and the Contractor shall restore them to their original or better condition, at no extra cost.



Structure N10 253 is a lamp hole, which is to be replaced with a precast 48" concrete manhole along with cone section, necessary adjusting rings and cast iron casting and lid. N10 252 is the catch basin to be replaced and connected to the new manhole. A new 15" PVC pipe is to be installed from the new manhole toward Dearborn Street near the back of lot 149 to connect to a previous repair has been made behind the two story block building (garage).

ALLEY BEHIND 922 to 936 LAKE AVENUE
COMBINATION SEWER EMERGENCY REPAIR SPECIFICATIONS

BASE BID:

ITEM NO. 1 All costs are to complete all Work to remove and replace the collapsed brick manhole, install a new catch basin, and remove and replace all connected pipes as described.

LUMP SUM **$**_____

The emergency repair Work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2012.

FROM_____
Contractor

BY_____
Signature

BY_____
Printed Name

FORT WAYNE WATER POLLUTION CONTROL UTILITY
(WASTEWATER UTILITY)

FORT WAYNE, INDIANA

GENERAL RULES AND REGULATIONS

AS AMENDED #99-2-1-12-2

In accordance with the statutes of the State of Indiana and the Fort Wayne Code of Ordinances, as most recently amended, the Board of Public Works has established the following General Rules and Regulations for the safe, economical and efficient management and proper operation of the City's Water Pollution Control (Wastewater) Utility, for the construction and use of sewers, building sewers, appurtenances, and connections to the collection system; for the regulation, collection, and refunding of rates and charges for sewer service; and for the implementation of the provisions of Chapter 51 of the Fort Wayne Code of Ordinances.

THE NATIONAL CATEGORICAL PRETREATMENT STANDARDS LOCATED AT 40 CFR CHAPTER 1, SUBCHAPTER N, PARTS 405-471, LATEST EDITION, ARE HEREBY INCORPORATED INTO THESE RULES AND REGULATIONS AS FULLY AS IF SET OUT HEREIN.

1. **DEFINITIONS**
For the purposes of these Rules and Regulations, words and terms shall have their ordinary and usual meanings.

Words and terms used herein shall have meanings as defined in either the Fort Wayne Code of Ordinances, as most recently amended (Chapter 51), or as appropriate to the context used.

"Shall" means mandatory; **"may"** means permissible.

Pursuant to 40 CFR 403.3, the following definitions are adopted.

"ACT" -The Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to at IC 13-18-13.

"APPLICABLE PRETREATMENT STANDARDS" -Any pretreatment limit or prohibitive standard (federal, state and/or

local) contained in the ordinance and considered to be the more restrictive with which non-domestic users shall be required to comply.

Authorized or Duly Authorized Representative of the User.

(1) If the User is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

"AVAILABLE" - A sewer is considered to be available for use by a property if it is abutting that property or is located within the public right-of-way or an easement adjacent to the property, has capacity available, and is of a nature intended to collect sewage from individual properties.

BEST MANAGEMENT PRACTICES (BMP's) as it pertains to Industrial Pretreatment. **Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40CFR403. BMP's include treatment requirements, operating procedures, and practices to control plant runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMP's also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.**

"BOARD OF WORKS" - The Board of Public Works of the City of Fort Wayne, Indiana.

"BUILDING (OR HOUSE) DRAIN" -That part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.

a) **COMBINED.** A building drain which conveys both sewage and storm water or other drainage.

b) **SANITARY.** A building drain which conveys sewage only.

c) **STORM.** A building drain which conveys storm water or other drainage, but not sewage.

"BUILDING (OR HOUSE) DRAIN CONNECTION" -The point where the building (or house) drain is connected to the building sewer at a location approximately three feet outside the foundation wall of the building.

"BUILDING (OR HOUSE) SEWER" - A private sewer that connects building plumbing to a public sewer. A building sewer normally begins outside the building foundation.

a) **COMBINED.** A building sewer which conveys both sewage and storm water or other drainage.

b) **SANITARY.** A building sewer which conveys sewage only.

c) **STORM.** A building sewer which conveys storm water or other drainage, but not sewage.

"BUILDING (OR HOUSE) SEWER CONNECTION (SEWER TAP)" -The point where the building sewer is connected to the public sewer.

"CATEGORICAL INDUSTRY" -An industry whose effluent is regulated by 40 CFR 403.6.

"CATEGORICAL PRETREATMENT STANDARD OR NATIONAL STANDARD"

-Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Section 307(b) and (c) of the Act (33 U. S. C. 1317) which apply to a specific category of industrial users which appear in 40 CFR Chapter 1, Subchapter N.

"CLASSIFICATION OF USERS" - Customers of the Water Pollution Control (Wastewater) Utility can be classified into the following general categories:

a) **RESIDENTIAL USERS.** Includes any user of the City's treatment works whose lot, parcel or real estate or building is used for domestic dwelling purposes only.

b) **COMMERCIAL USERS.** Includes all retail stores, restaurants, office buildings, laundries and other private business and service establishments, including those identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget Division I - Services.

c) **INDUSTRIAL USERS.** Includes any user of the City's treatment works which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions; Division A-Agriculture, Forestry and Fishing; Division B-Mining; Division D-Manufacturing; Division E-Transportation, Communications, Electric, Gas and Sanitary. **INDUSTRIAL USERS** shall be classified as follows:

1) **NON-DISCHARGE USERS.** Includes all industries which discharge sanitary sewage only, and industrial users whose discharge is limited to non-contact cooling water, or boiler blowdown water.

2) **NON-MAJOR INDUSTRIAL USERS.** Includes all industries that discharge process water but do not meet the criteria of **SIGNIFICANT INDUSTRIAL USERS.**

3) **SIGNIFICANT INDUSTRIAL USERS (SIU).** Includes all industries comprised of categorical and non-categorical industries and shall further be defined as set out at 40 CFR 403.3(t).

d) **INSTITUTIONAL USERS.** Includes social, charitable, religious and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.

e) **GOVERNMENTAL USERS.** Includes legislative, judicial, administrative and regulatory activities of federal, state and local governments.

"CITY" - City of Fort Wayne, Indiana.

"CLEANOUT" - A pipe or some other opening through which a device may be run to unplug a sewer.

"COLLECTION SYSTEM" -The network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Water Pollution Control (Wastewater Treatment) Plant.

"COLLECTOR SEWER" - Sewer that is primarily installed to receive wastewater directly from building or house sewers and convey the wastewater to an interceptor sewer.

"COMPATIBLE POLLUTANT" - Any pollutant that is treatable at the Water Pollution Control (Wastewater Treatment) Plant and that does not cause interference or pass through.

"COMPLIANCE SAMPLE" - A sample taken of a user's effluent approximately 30 days after a violation of Chapter 51, the user's permit or the federal pretreatment standards and regulations has been discovered or reported. The user shall be billed for any compliance sample taken.

"COMPOSITE SAMPLE" -The sample resulting from the combination of discrete wastewater samples taken at selected intervals while the discharge rate is at or above normal based on an increment of either flow or time. Time intervals between discrete samples not to exceed two hours. The total duration of collection shall not exceed 24 hours.

"CUSTOMER OR CONSUMER" -The person having any interest, whether legal or equitable, sole or only partial, either as tenant, contract purchaser or owner, in any property which is, or is to be, connected to a public sanitary sewer, either temporarily or permanently, by the Water Pollution Control (Wastewater) Utility and all those having such interest.

"DEFRAUDING THE UTILITY" -The act of requesting or receiving utility service(s)under fictitious circumstances or any other act done with the intent to deprive City Utilities of its right to payment.

"DEVELOPER" - An individual, corporation or organization that is engaged in or proposes activity on real estate for the purpose of providing infrastructure, lots, tracts or structures for residential, commercial, industrial public or quasi-public purposes.

"DIRECTOR" - The director or chief administrative officer of City Utilities, or authorized designee.

"DWELLING" - A building, or portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.

"EFFLUENT" - The water, together with any wastes that may be present, flowing out of a building (or house) drain, sewer receptacle or outlet.

"EPA or U.S. EPA" - United States Environmental Protection Agency

"EMERGENCY" -An unforeseen circumstance or combination of circumstances that may cause an eminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control (Wastewater Treatment) Plant.

"FOLLOW-UP SAMPLE" -A sample taken of a user's effluent at the city's discretion from a user receiving scheduled sampling, at times other than those regularly scheduled. A follow-up sample shall be done at no cost to the user.

"GARBAGE" -Any solid wastes from the preparation, cooking or dispensing of food or from the handling, storage or sale of produce.

"GRAB SAMPLE" -An individual discrete effluent sample collected over a period of time not to exceed 15 minutes.

"GROUND GARBAGE" -Garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half inch in any dimension.

"IMPERVIOUS SURFACE" - Areas that have been paved and/or covered with buildings and materials which include, but are not limited to, concrete, asphalt, rooftop and blacktop, such that the infiltration of water into the soil is prevented.

"INCOMPATIBLE POLLUTANTS" -Any pollutant that is not a compatible pollutant or that would cause damage to the collection system and/or Water Pollution Control (Wastewater Treatment) Plant.

"INDIRECT DISCHARGE" -The introduction of pollutants into the collection system from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act.

"INDUSTRIAL WASTE" -Any solid, liquid or gaseous substance, or form of energy discharged, permitted to flow or escape, or transported from an industrial, manufacturing, commercial or business operation or process, or from the development, recovery or processing of any natural resource carried on by any person.

"INFLUENT" - The water, together with any wastes that may be present, flowing into a drain, sewer, receptacle or outlet.

"INTERCEPTOR SEWER" - Principal sewer to which collector sewers are tributary. Interceptor sewers convey wastewater to the Water Pollution Control (Wastewater Treatment) Plant or other disposal facilities.

INTERFERENCE "Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources, does one (1) of the following:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, its sludge processes, or its selected sludge use or disposal methods.
(2) Causes a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.
(3) Prevents the use of the POTW's sewage sludge or its sludge disposal method selected in compliance with the following statutory provisions, regulations, or permits issued thereunder or more stringent state or local regulations:
(A) Section 405 of the Clean Water Act (33 U.S.C. 1345).
(B) The Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901), including:
(i) Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA); and

(ii) the rules contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA (42 U.S.C. 6941).
(C) The Clean Air Act (42 U.S.C. 7401).
(D) The Toxic Substances Control Act (15 U.S.C. 2601).

"IPS" -Industrial Pretreatment Section of the Water Pollution Control (Wastewater Treatment) Plant.

"METER" -A mechanical device used to measure and record the quantity of water supplied to a customer or the quantity of wastewater discharged from a customer. The meter is the official recorder of the amount of water consumed or wastewater discharged by a customer.

"MONTH" -The period between any two consecutive regular billings by the City Utilities for service rendered to a customer at his premises. Such billings are scheduled at intervals of approximately thirty (30) days. For purposes of billing, a month is 25 - 35 days. Any bills produced outside this parameter shall be pro-rated on a per day basis.

"MONTHLY METER SERVICE FEE" -A charge assessed each customer to recover administrative costs and those associated with billing, meter reading and maintenance of the water system, based on the size of the meter.

New Source.

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

(a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
(b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
(c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

(2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

(a) Begun, or caused to begin, as part of a continuous onsite construction program

(i) any placement, assembly, or installation of facilities or equipment; or
(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

"NPDES PERMIT" -The National Pollutant Discharge Elimination System Permit issued by the Indiana Department of Environmental Management (IDEM) for discharges of waste waters to navigable waters of the United States pursuant to Section 402 of 33 U.S.C. 466.

"OPERATION AND MAINTENANCE COSTS" -All costs direct and indirect, other than debt services including replacement

costs as defined herein, necessary to insure adequate wastewater treatment on a continuing basis conforming with federal, state or local requirements and to insure long-term facilities management.

"OWNER" -Designates the person holding the deed or record title to a premises. For the purposes of these Rules and Regulations, a contract purchaser is not considered an owner unless the contract has been duly recorded in the Allen County Recorders Office.

"PASS THROUGH" -A discharge which exits the Water Pollution Control (Wastewater Treatment) Plant into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Water Pollution Control (Wastewater Treatment) Plant's NPDES permit (including an increase in the magnitude or duration of a violation.)

"PERSON" -Any individual, owner, discharger, lessee, occupant, firm, partnership, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity.

"pH" -An expression of the intensity of the base or acidic conditions of a liquid.

"PRETREATMENT REQUIREMENTS" -Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an industrial user.

"PUBLICLY OWNED TREATMENT WORKS (POTW)" - All facilities and systems for collecting, transporting, pumping, treating, and disposing of sewage and sludge, including the Water Pollution Control (Wastewater Treatment) Plant and the sanitary, storm, and combination sewer collection systems, whether or not in active use, which are owned by a state, municipality, city, town, special sewer district, or other publicly owned or financed entity.

"REPLACEMENT COSTS" -That cost, stated in current monetary values, as an operating cost which represents and measures the expenditures required to replace equipment, accessories or appurtenances of the property in order to maintain capacity and performance during the

useful life of the property of the Water Pollution Control (Wastewater) Utility.

"SANITARY SEWAGE" -Sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, lodging or boarding house, office buildings, factories or institutions, and free from storm water, surface water, and groundwater.

"SCHEDULED SAMPLE" -Routine sampling of a user's effluent, usually twice a year for a commercial user and quarterly for industrial users.

"SERVICE CHARGE" -A charge levied on a user of the treatment works that includes the user charge, a charge for local capital costs, and may include other charges for current services.

"SEWAGE" - The water-carried wastes from residences, business buildings, institutions and industrial establishments, singularly or in any combination, together with such ground, surface and storm waters as may be present.

"SEWER" - A pipe or conduit for carrying sewage and other waste liquids as differentiated below:

a) **COMBINED OR COMBINATION SEWER.** A sewer that carries storm, surface and groundwater runoff as well as sewage.

b) **PRIVATE SEWER.** Sewer owned and maintained by a private company, person, group of persons or other private entity.

c) **PUBLIC SEWER.** A sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by City Utilities.

d) **SANITARY SEWER.** A sewer that carries domestic and industrial sanitary sewage and to which storm, surface, groundwaters and unpolluted industrial wastewaters are not intentionally admitted.

e) **STORM SEWER.** A sewer designated or intended to convey only stormwater, surface runoff, street wash waters and drainage and not intended for

sanitary sewage and industrial wastes other than unpolluted cooling water.

"SEWER BILLING FEE" -The monthly billing charge that covers administrative costs associated with billing, which includes the costs of reading the meter.

"SEWER SECTION" - A continuous length of sanitary sewer that is between two (2) manholes or between a manhole and a cleanout.

"SIGNIFICANT NON-COMPLIANCE" (SNC) -Significant Non-Compliance is defined as set out in 40 CFR 403.8(f) (2) (vii) and Rule 12.

"SLUG DISCHARGE" OR "SLUGLOAD" - Any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

"STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE" -A classification pursuant to the Standard Industrial Classification Manual used by the U.S. Office of Management & Budget.

"STANDARD METHODS" -The examination and analytical procedures set forth in the most recent edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Water Works Association (AWWA) and the Water Environment Federation (WEF), a copy of which is on file in the Office of the Superintendent.

"SUPERINTENDENT" -The Superintendent of the Water Pollution Control (Wastewater Treatment) Plant, or a designee.

"TEN STATE STANDARDS" - Recommended Standards for Wastewater Facilities on the Great Lakes - Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers. Most recent addition.

"TOXIC POLLUTANT" -One of 126 pollutants, or combinations of those pollutants, listed as toxic in regulations promulgated by the U.S. EPA under the provisions of Section 307 (33 USC 1317) of the Act.

"USER" - Any domestic or non-domestic discharger of wastewater which introduces pollutants to the Publicly Owned Treatment Works (POTW)

"USER CHARGE" -A charge imposed on the users of the Water Pollution Control (Wastewater) Utility to defray the cost of operation, maintenance and replacement.

"USER REQUESTED SAMPLE" -Any effluent sample taken by City Utilities at the request of the user, the cost for which shall be billed to the user.

"UTILITY" - The Water Pollution Control Utility (Wastewater Utility) of the City of Fort Wayne, Indiana.

"WASTE SURVEILLANCE CHARGE" -A monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating that user's waste by sampling, laboratory analysis and/or other methods deemed necessary. Said charges are set forth in Section 51.065 et seq. and are subject to review annually as provided in Section 51.079 of the Fort Wayne Code of Ordinances.

"WATER POLLUTION CONTROL (WASTEWATER TREATMENT) PLANT (WPC PLANT)" - The arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge, which is owned, controlled and maintained by City Utilities.

"WATER POLLUTION CONTROL UTILITY (WASTEWATER UTILITY)" All facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewage treatment plant and the sanitary, storm and combination sewer collection systems whether or not in active use.

2. **CONNECTION TO PUBLIC SANITARY SEWER** A new connection may be made to a City sewer or sewers connected to the City system only after there has been adequate assurance by City Utilities that the downstream facilities of the collection system have adequate capacity to transmit and treat the new waste loadings.

The Fort Wayne Code of Ordinances requires that every property in the City of Fort Wayne shall connect to the municipal collection system whenever a sanitary sewer is available for use. The connection to the municipal collection system shall be made within ninety (90) days after such sanitary sewer is available.

A sewer is considered to be available for use by a property if it is abutting that property, or is located in the public right-of-way or easement adjacent to the property, has capacity available, and is of a nature intended to collect sewage from individual properties--a collector sewer as opposed to an interceptor. An interceptor sewer is not intended to collect sewage via direct building (house) sewer connections. A sewer is considered to abut a property if it is located within a public right of way or easement that is adjacent to or abuts any part of the property that could be served.

Those properties not abutting a City sewer, but within three hundred feet (300') of an available sewer, shall make arrangements to have sewer extended to their property. Public sewers may be extended by private property owners once plans have been reviewed and approved by the City Utilities Water Resources Department in accordance with Section 5 - EXTENSION OF CITY SEWERS of these Rules and Regulations. Property owners may also petition the Board of Public Works for a sewer extension project. Property owners shall pay for a portion of the sewer extended through a petition-initiated project in accordance with the funding guidelines in effect at the time of the petition. Connection to the new sewer may not be made until the Board of Public Works accepts the main, or a Prime Contractor's Release is executed by the City Utilities Water Resources Department.

A connection to the public sewer may be accomplished as follows:

a) Where a tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the public sewer and the tapping "saddle and/or joint" shall be considered part of the building sewer.

b) Where fittings (T's or Y's) are employed, the connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.

Any property that has a public sewer available but is not connected shall be referred to the Fort Wayne/Allen County Board of Health for enforcement of applicable sanitary codes requiring connection to such public sewer.

Per 51.057 of the Fort Wayne Code of Ordinances, the Health Commissioner may, on written application and proof of economic hardship, extend the time within which a property shall be connected to the municipal collection system.

3. BUILDING OR HOUSE SEWERS

A. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the New Water & Sewer Permit Office, Room 270, City-County Building, Fort Wayne, IN.

B. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City for any loss or damage directly or indirectly occasioned by the installation of the building sewer, including water damages from the backup of the public sewer system.

C. A separate and independent building sewer shall be required for every building, except where one building stands at the rear of another on an interior lot and where no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway. The building sewer from the front building may be extended to the rear building and the whole pipe considered as one building sewer.

D. A building sewer shall not cross the property of another private owner unless such private owner has granted a permanent easement for such building sewer which is duly recorded in the Office of the Allen County Recorder.

E. Existing building sewers may be used in connection with new buildings only when they are found, upon examination and test, to meet the current code requirements for building sewers.

F. The installation of a building or house sewer shall comply with Chapter 51 of the Fort Wayne Code of Ordinances and applicable sections of the City Utilities Water Resources Department Development Criteria/Standards Manual.

G. City Utilities shall have no responsibility for the installation, maintenance and repair of building sewers, nor shall it be responsible for repair of building sewer connections including joints and fittings, if installed by a private contractor.

H. It is recommended that gravity building sewer connections only be constructed for homes or buildings where the lowest elevation to have sanitary services is one foot (1') or more above the top of the manhole casting elevation of the first upstream manhole on the public sewer to which the connection is proposed to be made. In instances where this one-foot distance is not achievable and in areas susceptible to back-ups, proper backflow prevention shall be designed. If the first upstream manhole is at a higher elevation due to the natural topography of the area, an alternate method may be selected by the City Utilities Water Resources Department for the purpose of determining the feasibility of gravity connection.

I. A gravity building sewer connection will NOT be allowed for homes or buildings where the lowest elevation to have gravity sanitary services is less than one foot (1') above the top of the manhole casting elevation of the first upstream manhole on the public sewer to which the connection is proposed to be made. If the first upstream manhole is at a higher elevation due to the natural topography of the area, an alternate method may be selected by the City Utilities Water Resources Department for the purpose of determining the feasibility of gravity connection. In instances in which gravity flow is not permitted, sanitary sewage carried by building sewers shall be lifted by an approved means (i.e., grinder pumps) and subsequently discharged to the public sewer.

J. No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain that is connected either directly or indirectly to a sanitary sewer of the Water Pollution Control Utility (Wastewater Utility).

K. The connection of the building sewer into the public sewer shall conform to these applicable Rules and Regulations. All such connections shall be made gastight and watertight. Any deviation of the

prescribed procedure or material must be approved by the City Utilities Water Resources Department before installation.

L. The Board of Public Works shall have the authority to require an owner of real property to disconnect any downspouts, yard drains or other drains which carry natural precipitation runoff from a building sewer and which drain into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.

M. The Board of Public Works shall have the authority to require that runoff from new construction or redevelopment tributary to any combined sewer be designed to minimize or delay inflow contribution to the existing combined sewer system.

N. The Board of Public Works shall have the authority to require that for any new construction with new impervious surface, any new storm sewer connection to any existing combined sewer shall be made separate and apart from the sanitary sewer connection in order to facilitate future disconnection from the combined sewer in the event a separate storm sewer subsequently becomes available.

O. No owners of or persons controlling any real property shall allow soil to enter any building sewer constructed to serve said property at any time.

P. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

Q. No owners of or persons controlling any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from City Utilities, and until owner has satisfied the obligation to pay all assessments, reimbursements and pro rata shares of sewer extension costs levied against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify any such obligation that has been duly recorded nor stop the City Utilities from charging and collecting such costs at any subsequent time.

R. From time to time, the Board of Public Works may permit any persons to tap or drain into a public sewer and to defer, in whole or in part, payment of the obligation, upon the execution and delivery to the Board of Public Works of a note, mortgage, lien document or other evidence of obligation acceptable to the Board of Public Works.

S. All such deferred obligations shall be considered for the purposes of Indiana Code Sections 36-9-23-31 through 36-9-23-34 to be fees assessed against real property.

T. Installments of deferred obligations, including any finance charges or interest chargeable thereon, shall be deemed to be "charges for sewer service" for the purposes of Chapter 51 of the Fort Wayne Code of Ordinances.

U. Sewer tap permits shall be obtained from the City Utilities New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay a fee based on service size and connection point at the time of permit application. The cost of all permits shall be per Chapter 51 of the Fort Wayne Code of Ordinances, as most recently amended. Six-inch (6") tap connections into a sewer structure as opposed to direct connection into a sewer line, or taps larger than six inches (6") shall require approval from the City Utilities Water Resources Department. Not later than forty-eight (48) hours after making each sewer tap and building sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by City Utilities prior to backfilling the sewer installation. Hours during which inspection requests will be accepted will be established by the New Water and Sewer Permit Office.

V. In cases of requests for connections to newly constructed mains prior to acceptance by the Board of Public Works, a Prime Contractor's Release must be executed and granted through the City Utilities Water Resources Department and submitted to the New Water and Sewer Permit Office. Upon satisfaction of all other requirements, a permit for connection may be issued.

W. No person shall make use of a sewer tap or backfill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by City Utilities. In addition to all other remedies, City Utilities may cause the installation of sewer tap to be excavated and exposed, may terminate the connection and may require the owner or occupant to pay or reimburse City Utilities for its costs and expenses in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewage treatment services and may be collected in accordance with the provisions of Indiana Code 36-923-31 through 36-9-23-34 and Chapter 51 of the Fort Wayne Code of Ordinances.

X. City Utilities shall have the authority to repair, as deemed necessary, building sewers or building sewer connections when City Utilities has determined that the disrepair has a detrimental effect on the public sewer system or is causing damage to a surface improvement or any other City facility, structure or property.

The property owner shall reimburse City Utilities for a portion of its costs and expenses associated with making such repair. Such costs and expenses shall be considered as charges for sewage treatment services and shall be billed to the property owner.

The cost of the repair billed to the property owner may be limited and the property owner's share may be financed over time when the property owner qualifies under the guidelines established by the Board of Public Works' "Tap Repair Policy," which is specifically incorporated as a part of these Rules and Regulations.

4. LICENSED BUILDING SEWER CONTRACTORS

A. In order to maintain strict control and quality of the collection system, all contractors and/or plumbers who connect, install, repair and/or replace a sanitary sewer tap shall be required to have a valid sewer license or registration. Examinations shall be required for new applicants, for those whose licenses have been expired for more than one (1) year and for those whose licenses have been suspended (see paragraph H).

B. Plumbers who connect, install, repair and/or replace sanitary sewer taps and are currently licensed with the State of Indiana shall register with the City Utilities New Water and Sewer Permit Office as a building sewer contractor, and upon registration shall be exempt from examination.

C. The examinations will require the knowledge of installation, workmanship, materials, safety and health regulations, liability, Department of Water Resources Development Criteria/Standards Manual, Chapter 51 of the Fort Wayne Code of Ordinances, and any other necessary information to determine the experience and knowledge of the contractor to install a building sewer. A score of seventy (70%) percent shall be required in order to pass the examination. There shall be a one-week time interval before the applicant can repeat the examination.

D. After successfully passing the examination, or being exempted therefrom, the Contractor may purchase a license or registration for the current calendar year, renewable annually on the first day of each succeeding year, to install building sewer taps.

E. An annual fee of Fifty ($50.00) Dollars shall be paid to the New Water and Sewer Permit Office by each licensed or registered sewer tap contractor.

F. The contractor shall post a Performance Bond and Certificate of Liability Insurance with City Utilities New Water and Sewer Permit Office.

G. Contractor/Plumber must obtain a City Utilities Water Resources Department Development Criteria/Standards Manual and maintain it in an up to date form.

H. At the request of the Board of Public Works, but not more than once a year, all licensed or registered sewer tap contractors shall be required to attend a seminar sponsored by Fort Wayne City Utilities. This seminar shall include information about installation, workmanship, materials, safety and health regulations, liability, Department of Water Resources Development Criteria/Standards Manual and Chapter 51 of the Fort Wayne Code of Ordinances.

I. License/registration may be suspended if proper compliances are not met as outlined in Chapter 51. If the license is suspended as a result of lack of compliance with any section of Chapter 51 or these Rules and Regulations, the Director shall require that the contractor: 1) bring into compliance the work that was the cause of the suspension, 2) successfully pass the registration examination as outlined in paragraph A above, and 3) pay the registration fee prior to being re-licensed.

5. EXTENSION OF CITY SEWERS

A. All new developments, subdivisions, apartment complexes, shopping centers, hotels, restaurants, or any other residential, commercial or industrial development shall include adequate public sanitary and storm sewer systems.

B. If adequate public sewers do not exist, the developer shall extend or cause to be extended adequate public sewers. Plans for any public sewer extension must be approved by City Utilities Water Resources Department. All extensions must be designed and constructed in accordance with the City Utilities Water Resources Department Development Criteria/Standards Manual, and in compliance with the "Ten State Standards".

The public sewer extension shall be extended within the right-of-way or an approved easement. The extension shall terminate at the point where the most remote tap would be made. In instances where the sewer extension parallels or is in close proximity to adjacent property, a public right of way or easement must be provided to permit the extension of the sewer by others to serve the adjacent property.

C. If a sewer is in an easement for several sewer sections, a manhole shall be installed on that sewer within the right-of-way of a crossing street in order to provide access for truck mounted maintenance equipment.

D. Review of the plans and inspection prior to and during construction by the Industrial Pretreatment Section (IPS) of the Water Pollution Control (Wastewater Treatment) Plant and/or City Utilities

Water Resources Department shall be at the expense of the developer. The charge for review and approval of the sewer plans and inspection during installation of the sewers shall be satisfied by the developer at the time a contract for sewer extension is executed.

E. No person shall make use of a sewer extension, backfill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by City Utilities. In addition to all other remedies, City Utilities may cause the said installation to be excavated and exposed, may terminate the connection, and may require the developer or contractor to pay or reimburse City Utilities for its costs and expenses in such excavation, exposure, termination, reconnection, and restoration.

F. The Board of Public Works may accept petitions from property owners requesting the extension of public sanitary sewers. Under the Board's policy, property owners abutting the sewer line shall pay for a portion of the cost of the sewer extension. For properties inside the City limits, the revolving Barrett Law program provides a financing mechanism for the property owners' share of the costs of a petition-initiated project. Contact the City Utilities Water Resources Department for more information about the petition process.

6. LIMITATION OF CONCENTRATIONS PERMITTED IN INDUSTRIAL WASTES

A. In accordance with the provisions of Section 51.033 of the Fort Wayne Code of Ordinances, the Board of Public Works, in order to protect the operation of the Water Pollution Control (Wastewater Treatment) Plant, the disposal of its sludge, and its discharge to the receiving stream, hereby limits the discharge of toxic ions, compounds, or substances entering the public sewage system not to exceed the concentration listed below:

Constituent	Daily Maximum Limitation (mg/1)
Arsenic	0.10
Cadmium	0.70

Chromium (Hexavalent)	0.50
Chromium (Total)	10.00
Copper	2.00
Cyanide	1.20
Lead	0.60
Mercury	0.01
Nickel	3.00
Phenol	1.00
Silver	0.30
Zinc	6.00

The above limits apply at the point where wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The Superintendent may impose mass limitations in addition to the concentration-based limitations above.

The Superintendent may also develop Best Management Practices (BMP's), by ordinance or in individual wastewater discharge permits, to implement local limits and the requirements of Section 51.033.

In addition to those pretreatment limitations specified in their individual pretreatment permits, photographic finishing industries will be limited to a daily maximum silver effluent limitation of 4.00 mg/l based on a maximum flow of 400,000 gallons per day per photographic discharger.

Non-major industries which discharge silver above the detection limit for silver (.01 mg/l) may be subject to pretreatment permits.

B. SAMPLE DISPUTE RESOLUTION.

In accordance with Section 51.040 of the Fort Wayne Code of Ordinances, the following procedure will be used in the event of a dispute between the Superintendent and the user as to the concentration, toxic nature or compliance status of the sample taken and analyzed by the City Utilities.

All such disputes shall be resolved consistent with the most current approved U.S. EPA or IDEM guidance documents and methodologies through an appeal filed by the industrial user. All appeals shall be resolved in an impartial manner through uniform application of the appeals procedures and considerations. Specifics of this process are set out in each Industrial Wastewater Discharge Permit and the steps for resolution of an appeal are contained in the Industrial Pretreatment Section Enforcement Response Guide. These documents may be modified as more accurate procedures become available. The following documents are the recognized authority at the date of approval of these Rules and Regulations:

a) U.S. EPA memorandum, January 21, 1992 Determining Industrial User Compliance Using Split Samples.

b) Resolving Compliance Disputes, - Memorandum from City of Fort Wayne Law Department to Greater Fort Wayne Water Quality Subcommittee, and flow chart.

6.1 LIMITATION OF CONCENTRATION OF OIL AND GREASE AND ACCEPTABLE RANGE OF pH.

A. Oil and grease (O&G) may be discharged to the Water Pollution Control (Wastewater Treatment) Plant in a concentration of 200 mg/l total for industries and commercial establishments whose O&G wastewater discharge historically contained primarily animal/vegetable O&G in their process as determined by their Standard Industrial Classification (SIC) code listed in the SIC Manual, 1987.

Within the City of Fort Wayne service area, these industries are:

a) Restaurants - SIC code 5812.

b) Bakery Products - SIC code 2051, 2052.

c) Potato chips and other snack foods -SIC code 2096.

B. If it becomes necessary to restrict the 200 mg/l total O&G limit in the future in order to protect the integrity of the Water Pollution Control Utility (Wastewater Utility), no penalty shall attach for discharge between the new, lower level and the current 200 mg/l total O&G limit for a period of ninety (90) days following action of the Board of Public Works approving the reduced limit.

C. It is the finding of the Board of Public Works that the following industries have been shown to not cause interference when total O&G is discharged in excess of 200 mg/l:

a) Dairy Products (milk) SIC code - 2026.

b) Dairy Products (ice cream) SIC code -2024, 5143.

For the above industries such discharge shall be allowed to the extent the total O&G in the wastewater discharge does not cause interference with the public sewer system. For the purpose of determining compliance with this standard, an appropriate total O&G numerical limit shall be incorporated into such user's Industrial Wastewater Discharge Permit. The Board of Public Works grants the Superintendent limited power to evaluate the total O&G discharge of such a user and to grant such user an individual numerical total O&G limit greater than 200 mg/l (total) but no greater than 3000 mg/l.

The Superintendent's evaluation of an appropriate total O&G numerical limit for an individual user shall consider the user's historical discharge concentrations of total O&G and the impact, if any, of such discharge on the public sewer system.

The Superintendent shall monitor the effect of the user's discharge on the City's sewer system. Should the Director find that discharge at the higher, permitted level causes interference with the public sewer system, the Director shall promptly notify the user, at which point the Director shall negotiate an appropriate modification to said user's permit.

D. The acceptable range for pH is 6-12. Analysis shall be conducted on grab samples taken at the user's sampling point, as determined by the Superintendent.

6.2 ADMINISTRATIVE ENFORCEMENT OF A/V O&G AND pH.

A. This section shall apply only to those users described in Section 6.1 above. All other users shall be subject to the enforcement provisions set out in the City's Enforcement Response Plan and Section 51.111 of the Fort Wayne Code of Ordinances.

B. Routine samplings May be conducted at least annually for all restaurants discharging to high maintenance sewer lines as designated by the Superintendent of Water Pollution Control Maintenance (WPCM). Any user found to have exceeded the 200 mg/l A/V O&G discharge limit upon initial sampling shall receive a written Notice of Exceedance. This notice may require the user to provide City Utilities' with a written explanation of its current and proposed means of regulating its O&G discharge, which plan is subject to the approval of the Superintendent of the Water Pollution Control (Wastewater Treatment) Plant. Thereafter, a second compliance sample shall be collected and analyzed by City Utilities. Based on the results of this compliance check, the following escalating administrative fines may be assessed.

For each exceedance of the 200 mg/l limit thereafter, this fine schedule may apply per occurrence. Further, any user found to have exceeded the 200 mg/l limit may be subject to resampling within thirty (30) days from the date the Notice of Exceedance is mailed.

Milligrams/Liter	
201 -300	$ 200
301 -500	$ 400
501 -1000	$ 600
over 1000	$1,000

Excepted from the above fine schedule are users governed by O&G limits set in accordance with aforementioned Section 6.1 (C) of these Rules and Regulations. (SIC codes 2024, 2026 and 5143).

C. The following administrative fines may be assessed, per occurrence, to pH test results showing the user's pH level to be outside the approved range of 6 - 12.

±0.5 units from the standard....$ 100.00

±1.0 units from the standard....$ 200.00

±1.5 units from the standard....$ 350.00

± 2.0 units from the standard...$ 400.00

Greater than ±2.0 units
from the standard.....$ 500.00

D. The cost of gathering and analyzing a compliance sample following a finding of exceedance or noncompliance under 6.1 of these Rules and Regulations is built into the fine schedules set out in paragraphs B. and C. above.

7. SEPTIC TANK CLEANINGS AND INDUSTRIAL WASTES ACCEPTED AT THE WATER POLLUTION CONTROL (WASTEWATER TREATMENT) PLANT

A. Wastes that can be treated in digesters: Septic tank cleanings, milk whey and other wastes acceptable to the Superintendent for treatment in the plant digesters from waste hauler trucks will be handled by the Water Pollution Control (Wastewater Treatment) Plant for charges set out in Section 51.076 of the Fort Wayne Code of Ordinances.

B. Wastes that cannot be treated in digesters:
Commercial or industrial wastes acceptable to the Superintendent, but which are not acceptable for treatment in the plant digesters (i.e., which must go to the Fort Wayne Biosolids Handling Facility or other disposal), and which are received from waste hauler tank trucks, will be handled by the Water Pollution Control (Wastewater Treatment) Plant on an individual contract basis as approved by the Director and the Board of Public Works, at a charge

adequate to reimburse the City Utilities for materials, labor, and overhead costs estimated to dispose of such wastes.

8. FLOW METERING EQUIPMENT

A. When an industry has been determined by the Superintendent to be a "Significant Industrial User," the Superintendent shall notify such industry and may, at Superintendent's sole discretion, require the installation, within one hundred twenty (120) days, of flow metering equipment for the purpose of determining the sewage flow or flows to the public sewer.

B. The specifications for any flow metering device and plans for installation shall be submitted to and approved by the Superintendent prior to its installation.

C. The cost of, and responsibility for, installation and maintenance of such equipment shall be the sole responsibility of said user.

D. The Board of Public Works may, upon application and proof of economic hardship or other reason, extend the time within which such equipment must be installed.

9. CONTROL MANHOLES

A. Any person who discharges or may discharge industrial wastes into a public sewer via any means may be required by the Superintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement, and sampling of owner's waste. Such manholes shall be constructed in accordance with the standards and specifications of the City Utilities Water Resources Department Development Criteria/Standards Manual. The Superintendent may also require the person to install and maintain in any such manhole, at said person's expense, an approved volume-measuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

B. Any building sewer which will have or has the potential of discharging prohibited wastes and/or wastes in excess of normal domestic sewage shall have a control manhole installed in accordance with either the City Water Resources Department Development Criteria/Standards Manual or an alternate mechanism for sampling approved by the Superintendent.

C. City Utilities has deemed it necessary to require the installation of a control manhole in all building sewer lines where the Superintendent has determined that any of the following conditions exist:

a) Abnormal maintenance of the sewer has been required to prevent and/or correct the occurrence of blockages, back-ups, etc., which have resulted in property damage; and evidence indicates that the abnormal maintenance is the result of the discharge of wastes in excess of limitations set forth in the Fort Wayne Code of Ordinances.

b) There exists a concentration of persons discharging wastes into a public sewer through a building sewer or sewers not having control manholes.

c) The results of laboratory analysis have demonstrated that the strength of wastes being discharged into the public sewer are in excess of limitations set forth in the Fort Wayne Code of Ordinances.

D. The Superintendent shall notify, in writing, any person who has been identified to be in violation of any of the above-mentioned conditions and shall require such person or persons to install one or more control manholes.

E. Following notification, a control manhole shall be installed within one hundred twenty (120) days. Failure to install the control manhole within 120 days shall be considered a violation of these Rules and Regulations.

F. Control manholes shall be located upon private property, shall receive all wastes from the property

and shall be readily accessible to representatives of the Water Pollution Control Utility (Wastewater Utility) in order to facilitate observation, measurement, and sampling of the waste being discharged.

G. The cost of and responsibility for installation and maintenance of control manholes and flow-metering equipment shall be the sole responsibility of the property owner or utility user.

H. The Board of Public Works may, upon application and proof of economic hardship or other reason, extend the time within which such equipment must be installed.

10. GREASE AND SAND TRAPS

A. Whenever the Superintendent determines that interceptors or traps are needed to protect the collection system or the Water Pollution Control (Wastewater Treatment) Plant from oil, grease, sand, or similar substances occurring in any person's sewage and so notifies the customer, then such traps shall be promptly installed by the customer at their expense and shall be so maintained by that person so that none of such substances can be discharged or carried over into the public sewers. All traps or interceptors shall meet the City Utilities Water Resources Department Development Criteria/Standards Manual standards as to construction, location, and installation.

B. Any non-residential building sewer which will have or has the potential of discharging waste containing oil, grease, sand or similar substances, shall have a grease and/or sand trap installed in a manner to provide, at all times, the effective removal of oil, grease, and/or similar substances before discharge to the public sewer.

C. The Water Pollution Control (Wastewater) Utility has deemed it necessary to require the installation of a grease and/or sand trap in either the building sewer or within the building's plumbing system in accordance with the minimum requirements of the Uniform Plumbing Code, Latest Edition, Chapter 7, where the Superintendent has determined that any one of the following conditions exist:

a) Excessive maintenance of the sewer has been required to prevent the occurrence of blockages, back-ups, etc., resulting in property damage; and evidence indicates that the cause of this excessive maintenance is the discharge of prohibited wastes and/or wastes in excess of limitations set out in the Fort Wayne Code of Ordinances.

b) There exists a concentration of persons discharging prohibited wastes into a public sewer without the benefit of any grease, and/or sand trap.

c) The results of laboratory analysis have demonstrated that the strength of wastes being discharged into the public sewer are in excess of the limitations set out in the Fort Wayne Code of Ordinances.

D. The Superintendent shall notify, in writing, any person who has been identified to be in violation of any of the above-mentioned conditions and shall require such person or persons to install and/or maintain an existing grease and/or sand trap.

E. Following notification, the grease and/or sand trap shall be installed within one hundred twenty (120) days. Failure to install the grease and/or sand trap within 120 days shall be considered a violation of these Rules and Regulations.

F. If notification is given that maintenance is required, said maintenance shall be carried out within thirty (30) days, after which time the user shall be considered to be in violation of these Rules and Regulations.

G. The cost of, and responsibility for installation and maintenance of grease and sand traps shall be the sole responsibility of the property owner or utility user.

H. The Board of Public Works may, upon application and proof of economic hardship or other reason, extend the time within which such equipment must be installed.

11. SUBMISSION OF DATA ON INDUSTRIAL WASTE

All Significant Industrial Users, whether categorical or non-categorical, shall comply with the reporting requirements found at 40 CFR 403.12, latest edition. Data collected to satisfy reporting requirements must be representative of the conditions occurring during the period covered by the report. All samples shall be collected using protocols, including appropriate preservation, specified in 40 CFR Part 136, latest edition.

Users subject to the reporting requirements of this rule shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this rule, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established pursuant to this ordinance. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates the analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the City.

All industries subject to federal categorical standards having established limitations for Total Toxic Organics shall file with the Industrial Pretreatment Section, a scan for Total Toxic Organics (TTOs) at least biannually or whenever a process change occurs, whichever occurs first. Excepted from this monitoring requirement are users having a Toxic Organic Management Plan (TOMP) that has been approved by the city and incorporated into the users Industrial Wastewater Discharge Permit. These users shall certify biannually that the approved TOMP is being fully implemented, and shall be required to perform the required monitoring for submittal with each permit renewal application or whenever a process change occurs, whichever occurs first.

All industrial users shall include certification statements with all self-monitoring reports as set out in 40 CFR 403.6(a)(2)(ii).

An industrial user shall notify the Industrial Pretreatment Section within twenty-four (24) hours of becoming aware of a violation of Chapter 51 of the Fort Wayne Code of Ordinances or of its wastewater discharge permit.

12. PUBLIC NOTIFICATION

In accordance with the provisions of 40 CFR 403.8(f)(2)(viii), the City shall annually publish in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve(12) months, were in Significant Non-Compliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this section) and shall mean:

A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a

six-(6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous limits as defined in Section 51.001;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by section 51.001 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 53.001(Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Superintendent determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or that has resulted in the Superintendent's exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which may include a violation of Best Management Practices, which the Superintendent determines will adversely affect the operation or implementation of the local Pretreatment Program.

13. SPECIAL DISCHARGES

A. Any and all discharge of water from swimming pools shall be directed to a sanitary sewer. No discharge from swimming pools shall be allowed to flow, either directly or indirectly, on to the ground of the pool owner, on to the ground of other private property, or on to any public property or roadway.

B. Swimming pool discharges are allowed in the municipal separate storm sewer system under the following conditions:

a) The chlorinated water must sit idle for seven (7) days following the most recent chlorination prior to discharge to a storm sewer; or

b) The swimming pool water must be analyzed to show that the discharge does not contain detectable concentrations of chlorine residual (less than 0.05mg/l).

Approval for discharge of swimming pool water into the storm sewer system must be given by the Superintendent of Water Pollution Control Maintenance.

C. Under no circumstances shall anyone discharge any wastewater into any City owned or maintained inlet, catch basin or manhole without approval from the Superintendent of Water Pollution Control Maintenance.

14. SERVICE CHARGES

A. General

a) Charges for sewer service shall be computed and billed by City Utilities. Bills shall be rendered monthly, approximately every 30 days, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings, or is otherwise required to adjust billing cycles.

b) Billings for sewer service shall be rendered with and shall be due and payable on the same due date as billings for water service to the same premises, if any. If none, then within such billing cycle as City Utilities may determine.

c) Bills shall be rendered monthly. If a bill is not paid on or before the due date indicated on the bill (approximately 15 days after the bill is mailed to the customer), the bill shall be considered delinquent. Should this remain delinquent for a period of 25 days, service may be terminated by City Utilities.

The rates, charges, penalties and surcharges set out herein and/or as fixed in Chapter 51 of the Fort Wayne Code of Ordinances, shall extend to and cover any additional premises hereafter served, without hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the charges

for sewer service for such billing shall be made in accordance with the Fort Wayne Water Utility Rules and Regulations.

d) Charges for sewer service shall be billed to the person being billed for water service, if any, unless, by contract with City Utilities, another person assumes responsibility for payment. In all other cases, sewer service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest and court costs, if any.

e) The owner of the real estate shall, upon request to the City Utilities Customer Relations Department, have the right to examine the City Utilities' records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.

f) Nothing herein contained shall permit the owner, or any person other than the person being billed, to inspect, examine or otherwise obtain confidential information including the income, employment, finances or social security number of the person being billed.

g) Charges for sewer service levied pursuant to Chapter 51 of the Fort Wayne Code of Ordinances, shall be due and payable on or before the due date stated on the bill. Further, a delinquent sewer bill may be collected with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with Chapter 51 of the Fort Wayne Code of Ordinances and with Indiana Code Sections 36-9-23-31 through 36-9-23-34.

h) Sewer billing shall commence with the billing for water service, the meter set date or date of occupancy whichever shall first occur.

i) In the event the sewer user is not a metered Fort Wayne City Utilities water customer, charges shall be imposed and charged as follows:

1) Residential -In the event the sewer customer is served by a well or otherwise does not receive water through metered service, that user shall be billed flat charges as established for in-city or outof-city service in Chapter 51 of the Fort Wayne Code of Ordinances; multi-family dwellings shall be billed at the appropriate flat rate multiplied by the number of units accommodated.

However, if the sewer user is a metered customer of another utility, City Utilities shall bill that user according to its metered water consumption. Readings obtained by City Utilities for such purpose shall be presumed to be correct so long as readings from said meter are accepted as accurate for water billing purposed by the utility supplying the water and the customer.

2) Metered Water (Commercial, Industrial, Institutional and Governmental) - If the sewer user is a metered customer of another utility, City Utilities shall bill that user according to its metered water consumption. Readings obtained by City Utilities for such purpose shall be presumed to be correct so long as readings from said meter are accepted as accurate for water billing purposes by the utility supplying the water and the customer.

3) Unmetered Water (Commercial, Industrial, Institutional and Governmental) -Customers with an unmetered water source shall be required to install a water or sewage meter as determined by the Director. All required meters shall be installed according to City Utilities' specifications, and the cost of installation, calibration and maintenance shall be the sole responsibility of the owner. The meter shall be used for billing purposes after it has been calibrated and accepted by City Utilities. The customer shall provide access to said water or sewage meter for the purpose of billing for sewer service.

4) City Utilities shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by City Utilities at any time. However, no adjustments, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

j) Any property found to be connected to a public sewer for the discharge of sewage without payment shall be placed on monthly billings immediately, and the user of the service shall be back-billed for the period of use either at the metered use charge or the monthly flat charge set out in Chapter 51 of the Fort Wayne Code of Ordinances.

B. Delinquencies

a) A penalty of ten (10%) percent of the amount of the charges for sewer service shall be attached to the current delinquent charges.

b) Where the property having a delinquent account for charges for sewer service is served by the City's Water Utility, City Utilities may, after reasonable notice to the person being billed, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

c) Delinquent charges for sewer services and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-923-32 and 36-9-23-33.

d) In addition to all other remedies provided, the City Utilities may disconnect sewer service to the property. Sewer service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

e) In addition to the foregoing remedies, City Utilities may file a civil action to recover the amount of the charges for sewer services penalties, and a reasonable attorney's fee, and may foreclose liens established by Chapter 51 of the Fort Wayne Code of Ordinances and in accordance with Indiana Code 36-9-23-34 when the delinquent party is the property owner.

15. ENFORCEMENT

A. In accordance with Chapter 51, Section 51.111 of the Fort Wayne Code of Ordinances, the power to enforce the provisions of Chapter 51 not specifically dealt with elsewhere shall be vested in the Director, and such deputies, with the approval of the Board of Public Works, as may be appointed for such purposes.

B. Whenever said Director or any such deputy shall deem it appropriate to charge any person with a violation(s) of Chapter 51, a Notice of Violation and/or Summons may be issued to such person which

shall be processed according to the provisions of Indiana Code (34-28-5-1). As an alternative, the Director may employ administrative remedies in accordance with Indiana Code 36-1-6-9 and the Fort Wayne Code of Ordinances.

16. ENFORCEMENT PROCEDURE

A. It shall be the policy of City Utilities to enforce the provisions of Chapter 51 in accordance with Section 51.111 of the Fort Wayne Code of Ordinances. However, contractually specified enforcement procedures where City Utilities is a party to the contract and which conflict with any portion of Section 51.111, shall take precedence over the conflicting portion of said Section.

B. Specific enforcement responses by the City are more fully set out in the City's Enforcement Response Plan, which is specifically incorporated into each Industrial Waste Discharge Permit and into these Rules and Regulations by reference.

C. All actions taken by City Utilities requiring a response by the user shall be made in writing and sent by certified mail to ensure receipt by the user.

17. RIGHT OF APPEAL

A. Any party aggrieved by an order or determination of the Water Pollution Control (Wastewater) Utility other than a billing and payment issue may, within fifteen (15) days after receipt of a Notice informing such party of the decision or order, appeal such decision or order to the Board of Public Works or its designated hearing officer by filing a petition seeking such appeal with the Clerk of the Board of Public Works stating the basis of such appeal, including the alleged error in the decision or order. After receipt of such petition, the Board of Pubic Works or its designated hearing officer, after due and proper notice to all parties, shall hold a hearing on said petition and at the conclusion thereof or within thirty (30) days thereafter, enter a decision either affirming, denying, revising, amending, altering, or modifying such decision or order as the Board of Public Works,

by majority vote, shall so rule. A party or person aggrieved by the Board of Public Works shall have the right to judicial review of such determination in accord with and pursuant to the same provision of the Indiana Administrative Adjudication Act (4-21.51-1 et seq.) as are applicable to appeals and review of decisions of agencies of the State of Indiana.

B. Any person aggrieved by any charge or billing determination by City Utilities may request and shall be granted an Administrative Appeal. Disputing the accuracy of a bill shall not be a valid reason for non-payment or partial payment of a bill by the customers, and shall not stay the accrual of finance charges on the delinquency. The customer may pay a bill under protest, giving written notice that an appeal is being sought. Such written notices must be filed with the Manager of the City Utilities Customer Relations Department prior to the due date of the bill.

The customer shall first discuss the determination with a Supervisor. If the dispute is not resolved to the customer's satisfaction, the facts concerning the dispute shall be reduced to writing by the customer. The customer and City Utilities may submit, in writing, any information they deem appropriate, to the Director, or a designated hearing officer who shall conduct, as soon as practicable, an informal hearing to determine and resolve the dispute. The Determination by such hearing officer shall be final and shall constitute the final administrative determination pursuant to IC 4-21.5-1-1 et seq.

18. PRESENT RULES SUPERSEDE PRIOR RULES

All rules and regulations heretofore promulgated by the Water Pollution Control (Wastewater) Utility governing the service supplied by the Utility are superseded and replaced by the foregoing Rules and Regulations of the Water Pollution Control (Wastewater) Utility and/or other specifications, rules and regulations referred to herein and made a part hereof.

19. REMEDIES NOT EXCLUSIVE

The remedies provided to the Water Pollution Control (Wastewater) Utility by these Rules and Regulations shall not be exclusive and shall be in addition to all other remedies which the Water Pollution Control (Wastewater) Utility has in law or equity.

20. AMENDMENTS AND REVISIONS

The Board of Public Works of the City of Fort Wayne, Indiana, reserves the right, by appropriate action, to amend, modify, delete, change or otherwise revise these Rules and Regulations as it may deem, from time to time, to be desirable and/or necessary.

APPROVED by the Board of Public Works in its regular meeting, May 15,2002.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

RESOLUTION NO. 89-103-27
POLICY CONCERNING COST OF BUILDING SEWER OR TAP REPAIR

WHEREAS, private building sewers, including the tap to the public sewer main, are the responsibility of the owner of the property served to maintain and repair; and

WHEREAS, a broken building sewer or tap may cause damage to the public sewer system or to a street, alley or other surface improvement in the public right of way and become a general detriment to the public; and

WHEREAS, the depth, location and size of the public sewer may have a significant impact on the cost of repairing a building sewer and/or tap; and

WHEREAS, the portion of the building sewer or tap that is most costly to repair is typically the portion within 20 feet of the public sewer main or the portion within the public right of way; and

WHEREAS, the cost of repairing this portion of the building sewer or tap typically exceeds $3,700.00; and

WHEREAS, The Board of Public Works has previously passed a Resolution No. 80-165-5, which initially addressed the subject of this Resolution; and

WHEREAS, The Board of Public Works desires to revise said Resolution No. 80-165-5 and to establish this policy under which the City and the property owner may share in the cost for repairing that portion of the building sewer most affected by main depth, location and size in those circumstances where the cost exceeds the typical price. Further, the Board of Public Works wishes to provide the property owner with a financing mechanism for its share of the cost when the owner meets the guidelines contained in this policy.

NOW THEREFORE, be it resolved by the Board of Public Works of the City of Fort Wayne, Indiana that:

1. This policy shall only apply to building sewers and taps serving residential properties. A residential property is defined in the City of Fort Wayne, Indiana Code of Ordinances 51.050 (A) (12) as "a building used as a one or two-family dwelling."

2. If the repair is located within 20 feet of the public sewer main or within the public right of way,

and the cost of the repair exceeds $3,700.00, the property owner's share of the cost may be capped at $3,700.00 and Fort Wayne City Utilities shall pay the balance of the cost if all other requirements of this policy are met.

3. The cost of the repair undertaken by the property owner shall be documented by a submittal of three written quotes from licensed sewer tap contractors. The Water Pollution Control Maintenance Department (WPCM) shall review quotes. If the WPCM staff determines all quotes are unreasonably high, City Utilities may request quotes from three additional firms. If the WPCM staff finds that the quotes do not represent a fair price for the work, an outside engineering firm may be retained by City Utilities to review the quotes and/or prepare an estimate of the cost of the repair work.

   City Utilities shall pay only the documented amount that is in excess of the $3,700 cap but shall not pay more than the difference between $3,700 and the total cost shown in the lowest quote. If the estimate by an outside engineering firm retained by City Utilities is determined to be the fair price for the work, City Utilities shall pay only the difference between the $3,700 cap and the total amount for the work determined by the outside engineering firm to be reasonable.

4. In order to be considered for the cost share program, the property owner or contractor must notify the Water Pollution Control Maintenance Department of a tap problem before any excavation or repair work is undertaken.

5. WPCM shall determine if the disrepair is causing damage to the public sewer system or to a surface improvement. If no damage is resulting to the public sewer system or to a public surface improvement, and if the disrepair is located more than 20 feet from the public sewer main or is outside the public right of way, Fort Wayne City Utilities is under no obligation to participate in a repair and the property owner is not eligible for a cost share under this policy.

6. The WPCM Department shall have the authority to order property owners to make repairs to a building sewer or tap when it has been determined by WPCM that the disrepair has a detrimental effect on the

public sewer system or is causing damage to street, alley or other surface improvement. Such order shall be sent to the property owner by certified-mail, return receipt requested.

7. If the property owner fails to make the necessary repair within ten (10) days of an order to do so, or if WPCM determines that an emergency exists because of damage to the public sewer system or damage to street, alley or other surface improvement, WPCM shall make the repair or have the repair made after notifying the property owner in writing of the decision to do so. Such notification will be sent to the property owner by certified-mail, return receipt requested.

8. If WPCM makes the repair or has the repair made, City Utilities shall have the authority to charge the property owner for the first $3,700.00 toward the total cost of the repair. The property owner shall pay to City Utilities its share of the cost of the building sewer or tap repairs within 30-days.

9. The property owner may apply to have its share financed over a period of time if the following guidelines are met:

   A. The property owner's income can be documented to be at or below 100% of median household income as established by the U.S. Department of Housing and Urban Development;

   B. The property owner has not had service by City Utilities discontinued for non-payment at the repair address or any other address in past two (2) years;

   C. Housing and Neighborhood Development Services (HANDS) has approved and works with the property owner on a suggested repayment schedule. In no case shall repayment be extended over a period of longer than 36 months.

10. The financing program shall be administered by HANDS based on application of the guidelines in Section 9 of this policy. HANDS will review each application and make a recommendation to Fort Wayne City Utilities on eligibility, creditworthiness, and suggested repayment schedule. Appeal of the recommendation from HANDS shall be made to the

Associate Director of Finance - Fort Wayne City Utilities.

This Resolution represents a revision of Resolution 80-165-5, and shall supersede and replace the previous Resolution on the effective date of this document.

Adopted this 3rd day of April , 2002 and effective on June 1, 2002.

BOARD OF PUBLIC WORKS

By:

_____

Ted Rhinehart, Chair

By:

_____

John Suarez, Member

By:

_____

Lin Wilson, Member

ATTEST

_____

Carolyn S. Newport, Clerk

A RESOLUTION AMENDING THE GENERAL RULES AND REGULATIONS OF THE FORT WAYNE WATER POLLUTION CONTROL UTILITY BY THE BOARD OF PUBLIC WORKS CITY OF FORT WAYNE, INDIANA

WHEREAS, recently a meeting was held with members of the general public concerning the accuracy and meaning of the wording in the Regulations of the Fort Wayne Water Pollution Control Utility ("regulations"); and

WHEREAS, after said meeting the staff conducted a review of said regulations and have determined that clarification was needed with regard to the necessity of recordation to validate a "contract purchaser;" and

WHEREAS, staff recommend that the definition of "Owner" on page 7 of said regulations be amended as follows:

""**OWNER**" - Designates the person holding the deed or record title to a premesis. For the purposes of these Rules and Regulations, a contract purchaser is ~~not~~ considered an owner **of an equitable interest in the subject real estate** ~~unless the contract has been duly recorded in the Allen County Recorder's Office~~. **Recordation of said contract is not necessary to validate said interest."**

NOW, THEREFORE, THE BOARD OF PUBLIC WORKS HEREBY AMENDS THE GENERAL RULES AND REGULATIONS OF THE FORT WAYNE WATER POLLUTION CONTROL UTILITY AS FOLLOWS:

(Pg. 7)

""**OWNER**" - Designates the person holding the deed or record title to a premesis. For the purposes of these Rules and Regulations, a contract purchaser is considered an owner of an equitable interest in the subject real estate. Recordation of said contract is not necessary to validate said interest."

SECTION 2. This amendment to the General Rules

and Regulations shall be effective as of the 4th day of December , 2002.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: _____
Ted Rhinehart, Director

John Suarez, Member

Denise Porter-Ross, Member

ATTEST: _____
Carolyn S. Newport, Clerk

Adopted the 1st day of February, 2012.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY:

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BILL NO. G-12-02-

GENERAL ORDINANCE NO. _____

AN ODINANCE REPEALING AND REPLACING
CHAPTER 51 OF
THE CITY OF FORT WAYNE CODE OF ORDINANCES

WHEREAS, the City of Fort Wayne (Control Authority) is required to operate its approved industrial pretreatment program in accordance with its Indiana Department of Environmental Management (IDEM) issued National Pollutant Discharge Elimination System (NPDES) Permit for its Water Pollution Control Plant; and,

WHEREAS, the United States Environmental Protection Agency (EPA) published in the Federal Register final changes to its General Pretreatment Regulation on October 14, 2005; and,

WHEREAS, the EPA and the IDEM have mandated that the Control Authority complete required changes and implementation in accordance with EPA Pretreatment Streamlining Rule, and;

WHEREAS, the Control Authority is required to develop, enforce and maintain adequate legal authority in its Sewer Use Ordinance (SUO) to fully implement the pretreatment program in compliance with State and local law. As part of this requirement, the CA shall develop and maintain local limits as necessary to implement the prohibitions and standards in 327 IAC 5-18; and,

WHEREAS, the Control Authority is required, within six months after the effective date of its NPDES Permit, to submit to the EPA Region 5 and the IDEM pretreatment group, a program modification request to incorporate the pretreatment streamlining revision in 327 IAC 5-16 through 327 IAC 5-21 of Indiana Administrative Code, which became effective on May 3, 2009, and;

WHEREAS, the Common Council of the City of Fort Wayne now finds it in the best interest to repeal and replace Chapter 51, Sewer Use Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Chapter 51 of the City of Fort Wayne Code of Ordinances is repealed and replaced as follow:

CHAPTER 51: SEWERS

Section

General Provisions

51.001 Definitions

51.002 Damage to city property prohibited

51.003 Dilution

51.004 Accidental discharges

Connections and Extensions

51.015 Requirements for connection to public sewers

51.016 Extensions of sewers outside corporate limits

51.017 Connections to sewerage system by certain properties outside corporate limits

Commercial and Industrial Wastes and Discharges

51.030 Prior approval for certain wastes

51.031 Pretreatment facilities; approval of proposed plans; operation

51.032 Federal pretreatment standards

51.033 Prohibited discharges and limitations

51.034 Responsibility for obstruction or damage to sewers

51.035 Submission of data on industrial waste

51.036 Confidential information

51.037 Control manholes

51.038 Grease and sand traps

51.039 Inspections; waste sampling

51.040 Waste analysis procedures and charges

51.041 Use of representative analysis

Private Sewage Disposal

51.050 Definitions

51.051 Sewage disposal

51.052 Construction requirements of private sewage disposal systems

51.053 Construction permit

51.054 Installers registration

51.055 Inspection

51.056 Maintenance and sampling

51.057 Economic hardship

51.058 Denial; suspension; revocation

51.059 Penalties

Sewer Rates and Charges

51.065 Charges based upon water usage/flat charges

51.066 Water obtained from sources other than city's water utility

51.067 Exempt water; general

51.068 Metering of sewage

51.068.5 Deposit to ensure payment of sewer fees; refunds; forfeitures; uses

51.069 Residential user charges

51.070 Industrial user charges

51.071 Commercial user charges

51.072 Institutional user charges

51.073 Governmental user charges

51.074 Wholesale contract customers; unit and other charges

51.075 Bulk waste charges

51.076 Strength-of-waste surcharge

51.077 Capital improvement surcharge

51.078 Continuing surveillance sampling/waste evaluation charges

51.079 Annual review of service charges and surcharges; revision of charges and rates

Delinquent Accounts; Billing of Service Charges

51.090 Billing period

51.091 Liability for payment; examination of utility records

51.092 First billings

51.093 City subject to charge

51.094 Consolidation of accounts

51.095 Notice of capital surcharge

51.096 Delinquent accounts; penalties

51.097 Termination of water service due to delinquency

51.098 Termination of sewer service due to delinquency

51.099 Delinquent fees and penalties as liens; duplicates; collection

51.100 Collection through court action

Administration and Enforcement

51.110 Rules and regulations; Board of Public Works authority

51.111 Enforcement

51.112 Sewerage Works Improvement Fund

51.999 Penalty for violation

Editor's note: *Ord. G-17-91 and amending Ord. G-25-91 and Ord. G-35-92 made substantive changes to the sections of this chapter where they are recorded in the section history. These ordinances are not included in the section history where the section was only renumbered using the enumeration of the 1974 Code, which is obsolete in this edition of the code of ordinances.*

§ 51.001 DEFINITIONS.

Unless the context specifically indicates otherwise, the meanings of the following terms as used in this chapter and as used in the Rules and Regulations adopted by the Board of Public Works implementing the provisions of this chapter for the Fort Wayne sewerage system are as set out below respectively:

ACT. The Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 1251 et seq.

APPLICABLE PRETREATMENT STANDARDS. Any pretreatment limit or prohibitive standard (federal, state and/or local) contained in the ordinance and considered to be the more restrictive with which non-domestic users shall be required to comply.

Authorized or Duly Authorized Representative of the User.

(1) If the User is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

BEST MANAGEMENT PRACTICES (BMP's) as it pertains to Industrial Pretreatment. Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40CFR403. BMP's include treatment requirements, operating procedures, and practices to control plant runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMP's also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.

BIOCHEMICAL OXYGEN DEMAND (BOD). The quantity of dissolved oxygen, in milligrams per liter, required during the stabilization of the decomposable organic matter by aerobic biochemical action of sewage, sewage effluent, polluted waters or industrial wastes under standard laboratory procedures for five days at 20° centigrade. The laboratory determinations shall be made in accordance with procedures set forth in 40 CFR 136.

BUILDING (OR HOUSE) DRAIN. That part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.

(1) ***COMBINED.*** A building drain which conveys both sewage and storm water or other drainage.

(2) ***SANITARY.*** A building drain which conveys sewage only.

(3) ***STORM.*** A building drain which conveys storm water or other drainage, but not sewage.

BUILDING (OR HOUSE) DRAIN CONNECTION. The point where the building (or house) sewer is connected to the building drain at a location approximately three feet outside the foundation wall of the building.

BUILDING (OR HOUSE) SEWER. That part of the drainage system which extends from the end of the building drain and conveys its discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.

(1) ***COMBINED.*** A building sewer which conveys both sewage and storm water or other drainage.

(2) ***SANITARY.*** A building sewer which conveys sewage only.

(3) ***STORM.*** A building sewer which conveys storm water or other drainage, but not sewage.

BUILDING (OR HOUSE) SEWER CONNECTION. The point where the building sewer is connected to the public sewer. This connection to the public sewer may be accomplished as follows:

(1) Where a tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the sewage system and the tapping "saddle and/or joint" shall be considered part of the building sewer.

(2) Where fittings (T's or Y's) are employed the connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.

BULK WASTE. Trucked or Hauled Wastewater delivered directly to the Water Pollution Control Plant or Biosolids Handling Facility for disposal pursuant to prior written approval.

CAPITAL IMPROVEMENT SURCHARGE. The additional charges for sewage service collected from users from any classification of users discharging sewage to the water pollution control utility from a capital improvement surcharge area designated responsible to contribute to the payment of costs associated with installation, adjustment or other improvement to the water pollution control utility intended to serve the capital improvement surcharge area.

CAPITAL IMPROVEMENT SURCHARGE AREA. An area, system or subsystem designated by the Board of Public Works wherein a capital improvement surcharge may be collected.

CATEGORICAL INDUSTRIAL USER. An Industrial User subject to a categorical Pretreatment Standard or categorical standard as defined below.

CATEGORICAL PRETREATMENT STANDARD OR CATEGORICAL STANDARD. Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of industrial users which appear in 40 CFR Chapter I, Subchapter N Part 405-471as revised.

CFR. The Code of Federal Regulation. When referenced in this Chapter, CFR shall mean, unless otherwise specified, the version of the Code of Federal Regulations revised as of July 1, 2010.

CHEMICAL OXYGEN DEMAND (COD). A measure of oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in 40 CFR 136.

CITY. The City of Fort Wayne, Indiana.

CLASSIFICATION OF USERS.

(1) ***RESIDENTIAL USERS.*** Includes any user of the city's treatment works whose lot, parcel or real estate or building is used for domestic dwelling purposes only.

(2) ***COMMERCIAL USER.*** Includes all retail stores, restaurants, office buildings, laundries and other private business and service establishments, including those identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget Division I - Services.

(3) ***INDUSTRIAL USER.*** Includes any user of the city's treatment works which is identified in the Standard Industrial Classification manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions; Division A-Agriculture, Forestry and Fishing; Division B-Mining; Division D-Manufacturing; Division E-Transportation, Communications, Electric, Gas and Sanitary. ***INDUSTRIAL USERS*** shall be classified as follows:

(a) ***NON-DISCHARGE USERS.*** Includes all industries which discharge sanitary sewage only, and industrial users whose discharge is limited to non-contact cooling water, or boiler blowdown water.

(b) ***NON-MAJOR INDUSTRIAL USER.*** Includes all industries which discharge process water but do not meet the criteria of ***SIGNIFICANT INDUSTRIAL USERS.***

(c) ***SIGNIFICANT INDUSTRIAL USERS (SIU).*** Except as provided in paragraphs (3) and (4) of this Section, a Significant Industrial User is:

(1) An Industrial User subject to categorical Pretreatment Standards; or

(2) An Industrial User that:

(a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

(b) Contributes a process wastestream which makes up five(5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(c) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

(3) The City may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

(a) The Industrial User, prior to the City's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;

(b) The Industrial User annually submits the certification statement required at 40 CFR 403.12(q), together with any additional information necessary to support the certification statement; and

(c) The industrial User never discharges any untreated concentrated wastewater.

(4) Upon a finding that a User meeting the criteria in Subsection (2) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the City may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

(4) ***INSTITUTIONAL USER.*** Includes social, charitable, religious and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.

(5) ***GOVERNMENTAL USER.*** Includes legislative, judicial, administrative and regulatory activities of federal, state and local governments.

COMPLIANCE SAMPLE. A sample taken of a user's effluent approximately 30 days after a violation of this chapter, the user's permit or the federal pretreatment standards and regulations has been discovered or reported. The user shall be billed for any compliance sample taken.

COMPOSITE SAMPLE. The sample resulting from the combination of discrete wastewater samples taken at selected intervals while the discharge rate is at or above normal based on an increment of either flow or time. Time intervals between discrete samples not to exceed two hours. The total duration of collection shall not exceed 24 hours.
CONTROL AUTHORITY as it pertains to Industrial Pretreatment. The City of Fort Wayne, Indiana.

DAILY MAXIMUM. The arithmetic average of all effluent samples for a pollutant collected during a representative 24 hour period.

DAILY MAXIMUM LIMIT. The maximum allowable discharge limit of a pollutant during a representative 24 hour period. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the representative 24 hour period. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken during the representative 24 hour period.

DWELLING. A building, or portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.

EFFLUENT. The water, together with any wastes that may be present, flowing out of a drain, sewer receptacle or outlet.

EMERGENCY. An unforeseen circumstance or combination of circumstances that may cause an eminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control Plant.

EQUIVALENT RESIDENTIAL UNIT (ERU). A unit of measurement representing the average daily sewage flow of a single-family dwelling as established by the Indiana Department of Environmental Management. Land use other than single-family dwellings shall be determined in terms of ERUs by using standards adopted by the Board of Public Works.

FOLLOW-UP SAMPLE. A sample taken of a user's effluent at the city's discretion from a user receiving scheduled sampling, at times other than those regularly scheduled. A follow-up sample shall be done at no cost to the user.

GARBAGE. Any solid wastes from the preparation, cooking or dispensing of food or from the handling, storage or sale of produce.

GRAB SAMPLE. An individual discrete effluent sample collected without regard to the flow in the wastestream and over a period of time not to exceed 15 minutes.

GROUND GARBAGE. Garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half inch in any dimension.

INDIRECT DISCHARGE or DISCHARGE. The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c) or (d) of the Act.

INDUSTRIAL WASTES. Any solid, liquid or gaseous substance or form of energy discharged, permitted to flow or escape, or transported from an industrial, manufacturing, commercial or business operation or process or from the development, recovery or processing of any natural resource carried on by any person.

INFLUENT. The water, together with any wastes that may be present, flowing into a drain, sewer, receptacle or outlet.

INSTANTANEOUS LIMIT. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

INTERFERENCE "Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources, does one (1) of the following:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, its sludge processes, or its selected sludge use or disposal methods.
(2) Causes a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.
(3) Prevents the use of the POTW's sewage sludge or its sludge disposal method selected in compliance with the following statutory provisions, regulations, or permits issued thereunder or more stringent state or local regulations:
(A) Section 405 of the Clean Water Act (33 U.S.C. 1345).
(B) The Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901), including:
(i) Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA); and
(ii) the rules contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA (42 U.S.C. 6941).
(C) The Clean Air Act (42 U.S.C. 7401).
(D) The Toxic Substances Control Act (15 U.S.C. 2601).

LOCAL LIMIT. Specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5

New Source.

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

(a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or

(c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

(2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

(a) Begun, or caused to begin, as part of a continuous onsite construction program

(i) any placement, assembly, or installation of facilities or equipment; or

(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

NONCONTACT COOLING WATER. Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

NORMAL DOMESTIC SEWAGE. Sewage having an average daily suspended solids concentration of not more than 300 milligrams per liter, an average daily BOD concentration of not more than 300 milligrams per liter, an average daily COD concentration of not more than 600 milligrams per liter, an average daily phosphorus concentration of not more than 10 milligrams per liter, and an average daily ammonia concentration of not more than 25 milligrams.

NPDES PERMIT. The National Pollutant Discharge Elimination System Permit issued by the Indiana Department of Environmental Management for discharges of waste waters to navigable waters of the United States pursuant to Section 402 of 33 U.S.C. 466.

OPERATION AND MAINTENANCE COSTS. All costs direct and indirect, other than debt services including replacement costs as defined herein, necessary to insure adequate wastewater treatment on a continuing basis conforming with federal, state or local requirements and to insure longterm facilities management.

OUTLET. Any outlet, natural or constructed, which is the point of final discharge of sewage or of treatment plant effluent into any watercourse, pond, ditch, lake or other body of surface or ground water.

PASS THROUGH. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.

PERSON. Any individual, owner, discharger, lessee, occupant, firm, partnership, co partnership, firm, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities..

pH. An expression of the intensity of the base or acidic conditions of a liquid.

POLLUTANT. . Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

(1) ***COMPATIBLE POLLUTANTS.*** Waste containing biochemical oxygen demand, chemical oxygen demand, suspended solids, phosphorus, pH and fecal coliform bacteria and ammonia (NH).

(2) ***INCOMPATIBLE POLLUTANTS.*** Wastes with any pollutant that is not a compatible pollutant which is regulated by the NPDES permit or that would cause damage to the sewage system and/or treatment plant.

PRETREATMENT. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by any other means, except by diluting the concentration of pollutants unless specifically allowed by an applicable Pretreatment Standard.

PRETREATMENT REQUIREMENTS. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

PRETEATMENT STANDARDS OR STANDARDS. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, State, and Local Limits.

PROHIBITED DISCHARGE STANDARDS OR PROHIBITED DISCHARGES. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 51.033 of this ordinance.

PUBLICLY OWNED TREATMENT WORKS OR POTW. A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.

RANDOM SAMPLE. A sample taken at no charge to the user, at the city's discretion of effluent produced by any user.

RECEIVING STREAM. The watercourse, stream or body of water receiving the waters finally discharged from the sewage treatment plant.

REPLACEMENT COSTS. That cost, stated in current monetary values, as an operating cost which represents and measures the expenditures required to replace equipment, accessories or appurtenances of the property in order to maintain capacity and performance during the useful life of the property of the Water Pollution Control Utility.

REPLACEMENT FUND. A fund maintained to provide resources to pay for replacement expenditures annually as required to maintain the capacity and performance of the property of the sewage works.

SANITARY SEWAGE. Sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, lodging or boarding houses, office buildings, factories or institutions, and free from storm water, surface water, groundwater and industrial wastes.

SCHEDULED SAMPLE. Routine sampling of a user's effluent, usually twice a year for a commercial user and quarterly for industrial users.

SERVICE CHARGE. A charge levied on a user of the treatment works which includes the user charge, a charge for local capital costs, and may include other charges for current services.

SEWAGE. The water-carried wastes from residences, business buildings, institutions and industrial establishments, singularly or in any combination, together with such ground, surface and storm waters as may be present.

SEWAGE TREATMENT PLANT or ***WATER POLLUTION CONTROL PLANT (WPC PLANT).*** The arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge.

SEWAGE WORKS or ***WATER POLLUTION CONTROL UTILITY.*** All facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewage treatment plant and the sanitary, storm and combination sewer collection systems whether or not in active use.

SEWER. A pipe or conduit for carrying sewage and other waste liquids as differentiated below:

(1) ***COMBINED OR COMBINATION SEWER.*** A sewer which carries storm, surface and groundwater runoff as well as sewage.

(2) ***PUBLIC SEWER.*** A sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the city or other public authority.

(3) ***SANITARY SEWER.*** A sewer which carries domestic and unpolluted industrial sanitary sewage and to which storm, surface, groundwaters and unpolluted industrial waste waters are not intentionally admitted.

(4) ***STORM SEWER.*** A sewer which carries storm, surface and groundwater drainage but excludes sanitary sewage.

SEWER ENGINEER. The Chief Sewer Engineer of the city or his duly authorized representative; the term is synonymous with the term "Water Pollution Control Engineer."

SEWERAGE SYSTEM. The network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Sewage Treatment Plant.

SHALL. Means mandatory; "may" means permissible.

SLUGLOAD or Slug Discharge as it pertains to Industrial Pretreatment . Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit Conditions.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE. A classification pursuant to the Standard Industrial Classification Manual used by the U.S. Office of Management & Budget.

STANDARD METHODS. The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Water Works Association and the Water Pollution Control Federation, a copy of which is on file in the Office of the Superintendent.

STRENGTH-OF-WASTE SURCHARGE. The additional charges for sewage service collected from users discharging sewage into the system having a strength measurement in excess of the limits imposed by the provisions of this chapter.

SUPERINTENDENT. The Superintendent of the Sewage Treatment Plant (Water Pollution Control Plant) of the city, or a duly authorized representative of the Superintendent

SUSPENDED SOLIDS. Solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration is expressed in milligrams per liter. Quantitative determinations are made in accordance with procedures set forth in 40 CFR 136.

TOXIC POLLUTANT. One of 126 pollutants, or combinations of those pollutants, listed as toxic in regulations promulgated by the EPA under the provisions of Section 307 (33 USC 1317) of the Act.

User or Industrial User as it pertains to Industrial Pretreatment. A source of indirect discharge.

USER CHARGE. A charge imposed on users of a treatment works to defray the cost of operation, maintenance and replacement.

USER REQUESTED SAMPLE. Any effluent sampled taken by the city at the request of the user, the cost for which shall be billed to the user.

WASTE SURVEILLANCE CHARGE. A monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating that user's waste by metering, sampling, laboratory analysis and/or other methods deemed necessary. Said charges are set forth in § 51.065 et seq. and are subject to review annually as provided in § 51.079.

WATER POLLUTION CONTROL PLANT (WPC PLANT). See ***SEWAGE TREATMENT PLANT*** .

WATER POLLUTION CONTROL UTILITY. See ***SEWAGE WORKS.***

WATERCOURSE. A channel in which the flow of water occurs either continuously or intermittently.

('74 Code, § 24-1) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-36-03, passed 10-28-03)

§ 51.002 DAMAGE TO CITY PROPERTY PROHIBITED.

It shall be unlawful for any unauthorized person to maliciously, willfully or negligently break, damage, destroy, remove, deface or tamper with any structure, appurtenance or equipment which is part of the city sewage system, the city's Water Pollution Control Plant or property of others assigned to the city for operation and maintenance and shall be liable for damage.

('74 Code, § 24-8) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

§ 51.003 DILUTION.

It shall be unlawful for any person to increase the use of potable water or process water in any way, or mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with pretreatment standards or requirements. The city may impose mass limitations on any persons using dilution to meet applicable pretreatment standards or discharge permit requirements. The city may also impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other circumstances deemed appropriate by the Board of Public Works.

('74 Code, § 24-9) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

§ 51.004 ACCIDENTAL DISCHARGES.

(A) Each person shall provide protection from accidental discharge of prohibited or regulated materials or substances to sewers of the city. Where necessary, procedures and facilities to prevent the accidental discharge of prohibited materials shall be provided and maintained at said discharger's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review, and be approved by the city before construction of the facility. Review and approval of plans and operating procedures by the city shall not relieve the discharger from the responsibility to modify its facility as necessary to meet applicable federal, state and local requirements.

(B) All responsible persons shall notify the Superintendent of the Water Pollution Control Plant, or his representative, within 2 hours when a "slug load" or accidental discharge occurs. A written report shall be submitted within five days of the incident. The notification must include the location of the discharge, date and time of occurrence, type of waste, concentration and volume and corrective actions taken. Any person who discharges a "slug load" of prohibited materials will be liable for any expense, including loss or damage to the city's sewerage system and treatment facilities in addition to the amount of any fines imposed upon the city under state or federal law.

(C) Signs must be permanently posted in conspicuous places on the dischargers' premises, advising employees whom to call in the event of an accidental discharge. Employers shall adequately instruct all employees who may cause or discover such discharges of the emergency notification procedures.

(D) All Users that are subject to annual inspection will have a documented review of the above required facilities and or plans for adequacy as a part of the annual inspection process.

('74 Code, § 24-10) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94)

CONNECTIONS AND EXTENSIONS

§ 51.015 REQUIREMENTS FOR CONNECTION TO PUBLIC SEWERS.

City Utilities shall have the authority to require an owner of real property to disconnect any downspouts, yard drains or other drains which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer, or in areas served by combined sewers where City Utilities determines the additional load placed on the system has been found to be detrimental to properties in that area. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.

('74 Code, § 24-3) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97) Penalty, see § 51.999

§ 51.016 EXTENSIONS OF SEWERS OUTSIDE CORPORATE LIMITS.

The installation, construction, or extension of sanitary sewers by private developers or by the city outside the corporate limits of the city and the connection of said sanitary sewers into the city's sewage system from, by, to, or for properties located outside such limits is prohibited, except with the approval of the Board of Public Works by duly enacted resolution, provided that a resolution ratifying and agreement and/or contract for such construction and connection shall be deemed to constitute such approval.

('74 Code, § 24-4) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

§ 51.017 CONNECTIONS TO SEWERAGE SYSTEM BY CERTAIN PROPERTIES OUTSIDE CORPORATE LIMITS.

Notwithstanding the provisions of § 51.016, the Board of Public Works shall have the authority to permit a property located outside the corporate limits of the city to connect to an existing sanitary sewer which is part of the city's sewerage system, when the property abuts, adjoins or is immediately contiguous to the street, alley or easement in which such sewer is located and provided the property owner or occupant has complied with the requirements prescribed by § 51.015 of this chapter.

('74 Code, § 24-5) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97)

COMMERCIAL AND INDUSTRIAL WASTES AND DISCHARGES

§ 51.030 PRIOR APPROVAL FOR CERTAIN WASTES.

The Superintendent shall have the authority to deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by Industrial Users where such contributions do not meet applicable Pretreatment Standards and Requirements or where such contributions would cause the POTW to violate its NPDES permit;

(A) Review and acceptance by the Superintendent shall be obtained prior to the discharge into the sewage works sewers by any persons having sewage wastes which contain:

(1) Either a BOD content greater than 300 milligrams per liter or a COD greater than 600 milligrams per liter.

(2) A suspended solids content greater than 300 milligrams per liter.

(3) A phosphorus content greater than 10 milligrams per liter.

(4) An ammonia content greater than 25 milligrams per liter.

(5) Other contaminants which either from their constituents or quantities will:

(a) Interfere with the operation of any portion of the sewage works;

(b) Pass through the treatment works or otherwise be incompatible with such works;

(c) Prevent the reclamation and/or recycling of municipal or industrial wastewaters and sludges.

(B) However, nothing in this section or elsewhere in this chapter shall be read to allow the user to discharge pollutants which shall cause interference or pass through and/or to absolve the user from liability in the occurrence of a discharge which causes such interference or pass through.

(C) When requested by the City, a User must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request.

(D) No Significant Industrial User shall discharge wastewater into the POTW without first obtaining a valid Industrial Wastewater Discharge Permit, which shall contain the specific requirements to be complied with by the User. The City may also require other users to obtain an Industrial Wastewater Discharge Permit as necessary to carry out the purposes of this ordinance.

(E) Any violation of the terms and conditions of a valid Industrial Wastewater Discharge Permit, including any Best Management Practices contained there in, shall be deemed a violation of this ordinance and subject the permittee to enforcement as set out at section 51.111 of this ordinance.

(F) Obtaining an Industrial Wastewater Discharge Permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

Individual wastewater discharge permits must contain:

(1) A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;

(2) A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;

(3 Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards; [Note: Required Streamlining Rule Change]

(4) Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

(5) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

(6) Requirements to control Slug Discharge, if determined by the Superintendent to be necessary.[Note: Required Streamlining Rule Change] Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:

(1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

(3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

(4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

(5) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

(6) A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and

(7) Other conditions as deemed appropriate by the Superintendent to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Superintendent. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

('74 Code, § 24-11) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

§ 51.031 PRETREATMENT FACILITIES; APPROVAL OF PROPOSED PLANS, OPERATION.

(A) General. Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical Pretreatment Standards,

Local Limits, and the prohibitions set out in this ordinance within the time limitations specified by EPA, the State of Indiana, or the City, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the users' expense. (B) Prior approval Detailed plans describing such facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this ordinance. (C) Operation. Where pretreatment facilities are provided pursuant to the Superintendent's approval, they shall be maintained continuously in satisfactory and effective operating condition at the person's expense and shall be subject to periodic and random inspection and sampling by the city. The person responsible for such facilities shall maintain suitable operating records which shall be open to inspection by the city, and shall submit to the Superintendent such summary reports of the character of the influent and effluent of the facilities as the Superintendent may require. All records and reports shall be retained for a minimum of three years. All significant industries whether defined as categorical or noncategorical industry by state and federal regulations shall comply with all requirements of 40 CFR 403.12 as revised. ('74 Code, § 24-14)

(D) Pursuant to 40 CFR 403.12(latest revision), the city may, at its discretion, require that records be kept for a longer period in the case of unresolved litigation or when requested by the Approval Authority.

(E) All significant industries whether defined as categorical or noncategorical industry by state and federal regulation shall comply with all applicable requirements of 40 CFR 403.12, including, when applicable, Baseline Monitoring Reports (BMRs), 90 Day Compliance Reports, and Periodic Compliance Reports.

(F) Additional Measures. Whenever deemed necessary, the City may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate waste streams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this ordinance.

(G). Bypass

A. For the purposes of this Section,

(1) Bypass means the intentional diversion of wastestreams from any portion of a User's treatment facility.

(2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

B. A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of this Section.

(1) Bypass is prohibited, and the Superintendent may take an enforcement action against a User for a bypass, unless

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(c) The User submitted notices as required under this section.

(2) The Superintendent may approve an anticipated bypass, after considering its adverse effects, if the Superintendent determines that it will meet the three conditions listed above.

Bypass Notifications

(1) If a User knows in advance of the need for a bypass, it shall submit prior notice to the Superintendent, at least ten (10) days before the date of the bypass, if possible.

(2) A User shall submit oral notice to the Superintendent of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Superintendent may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

(Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91); Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

§ 51.032 FEDERAL PRETREATMENT STANDARDS.

(A) As part of this chapter the city shall enforce all federal pretreatment standards including but not limited to categorical pretreatment standards upon persons within its service area or within the service area of any contract customers.

(B) Categorical industrial users must comply with all applicable National Categorical Pretreatment Standards found in 40 CFR Chapter 1, Subchapter N, Parts 405-471 latest edition. These standards are hereby incorporated into this chapter.

(1) Where a categorical Pretreatment Standard is expressed only in terms of either the mass or concentration of a pollutant in wastewater, the City may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6

(2) When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the City may convert the limits to equivalent limitations expressed as either mass of pollutant discharged per day or effluent concentration for purposes of calculating limitations applicable to individual Industrial Users in accordance with 40 CFR 403.6.

(3) When wastewater subject to categorical Pretreatment Standards is mixed with wastewater not regulated by the same Standard, the City shall impose an alternate limit in accordance with 40 CFR 403.6

(C) Baseline Monitoring Reports

Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Superintendent a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Superintendent a report which contains the information listed in paragraph B, below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(1). Users described above shall submit the information set forth below.

(a) Identifying Information.

1. The name and address of the facility, including the name of the operator and owner.

2. Contact information, description of activities, facilities, and plant production processes on the premises;

(b) Environmental Permits. A list of any environmental control permits held by or for the facility.

(c) Description of Operations.

A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.

(d).Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;

(e) Number and type of employees, hours of operation, and proposed or actual hours of operation;

(f) Type and amount of raw materials processed (average and maximum per day);

(g) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

(h) Time and duration of discharges;

(i)The location for monitoring all wastes covered by the permit;

(j) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(k) Measurement of Pollutants.

(l) The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.

(m) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Superintendent, of regulated pollutants in the discharge from each regulated process.

(1) Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.

(2) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in 40 CFR 136. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Superintendent or the applicable Standards to determine compliance with the Standard.

(3) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;

(4) Sampling and analysis shall be performed in accordance with 40CFR 136;

(n) The Superintendent may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;

(o) The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

(p) Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 51.001 and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

(q) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard

(r) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 6.14 A of this ordinance and signed by an Authorized Representative as defined in Section 51.001.

D. Compliance Schedule Progress Reports

The following conditions shall apply to any compliance schedule required by this ordinance:

1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

2. No increment referred to above shall exceed nine (9) months;

3. The User shall submit a progress report to the Superintendent no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and

4. In no event shall more than nine (9) months elapse between such progress reports to [the Superintendent].

E Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the Superintendent a report containing the information described in Section 4.5A(6) and (7) and 6.1(B)(2) of this ordinance. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with of this ordinance. All sampling will be done in conformance with 40CFR136.

F Periodic Compliance Reports

All Significant Industrial Users must, at a frequency determined by the Superintendent submit no less than twice per year (June and December) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Superintendent or the Pretreatment Standard necessary to determine the compliance status of the User *[Note: Required Streamlining Rule Change].*

. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Superintendent, using the procedures prescribed in Section 6.11 of this ordinance, the results of this monitoring shall be included in the report. [Note: See 40 CFR 403.12(g)(6)]

G Reports of Changed Conditions

Each User must notify the Superintendent of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least ten (10) days before the change.

1. The Superintendent may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application.

2. The Superintendent may issue an individual wastewater discharge permit this ordinance or modify an existing wastewater discharge permit in response to changed conditions or anticipated changed conditions.

H Reports from Unpermitted Users

All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the Superintendent as the Superintendent may require.

I Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the Superintendent within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Superintendent within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the City performs sampling at the User's facility at least once a month, or if the City performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the City receives the results of this sampling, or if the City has performed the sampling and analysis in lieu of the Industrial User.

[Note: *Required Streamlining Rule Change* If the City performed the sampling and analysis in lieu of the Industrial User, the City will perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat sampling and analysis. See 40 CFR 403.12(g) (2).]

J Notification of the Discharge of Hazardous Waste

1. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 6.5 of this ordinance. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 6.1, 6.3, and 6.4 of this ordinance.

2. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

3. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste,

the User must notify [the Superintendent], the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

4. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

5. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

K Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Superintendent or other parties approved by EPA.

L Certification Statements

The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with this ordinance; Users submitting baseline monitoring reports [Note: See 40 CFR 403.12 (l)]; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines ; and Users submitting periodic compliance reports. The following certification statement must be signed by an Authorized Representative as defined in Section 51.001:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." .

('74 Code, § 24-15) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94)

§ 51.033 PROHIBITED DISCHARGES AND LIMITATIONS.

General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

Except as hereinbefore provided, no person shall discharge or cause or permit to be discharged into the public sewer any of the following described substances, wastes or waters:

(A) Any liquid or vapor having a temperature greater than 140° F. (60° C), or any wastewater which will cause the WPC Plant's influent to exceed 104° F. (40° C).

(B) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through. This shall include but not be limited to any waters or wastes from industrial sources containing more than 100 milligrams per liter of total oil and grease (TOG). Acceptable limits for animal-vegetable based fats, oils and grease shall be determined by the Board of Public Works and set out in the Sewer Utility Rules and Regulations. Said maximum limits shall be calculated and set at an amount shown not to cause interference or obstruction in the collection system and/or sewerage works, and shall be reevaluated and adjusted as necessary to protect the integrity of the sewer utility.

(C) Any gasoline, benzene, naphtha, fuel oil, mineral oil or any other flammable or explosive solid, liquid or gas.

(D) Any noxious or malodorous gas or substance which either alone or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into the sewers of their maintenance or repair.

(E) Any garbage that has not been properly pretreated and reduced as provided for in the definition of ground garbage in § 51.001.

(F) Any ashes, cinders, sand, mud, straw, shavings, wood, metal, glass, rags, feathers, tar, plastics, paunch manure, butchers' offal or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or the sewage treatment plant.

(G) Any waters or wastes having a pH less than 6.0 or greater than 12.0 or having any other corrosive property capable of causing damage or posing hazards to the structures, equipment or personnel of the sewage works.

(H) Any waters or wastes containing toxic substances, as defined under Section 307 (b) and (c) of the Clean Water Act in sufficient quantity to interfere with the biological process of the sewage treatment plant or that will pass through the plant into the receiving stream in amounts exceeding the standards set forth by federal, interstate, or other competent authority having jurisdiction, or will prevent the disposal of the sludges by the plant in accordance with Section 405 of said Act.

(I) Any toxic radioactive isotopes, without a special permit. The radioactive isotopes of I 131 and P 32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sewerage system, as further defined in the general rules and regulations.

(J) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW; including but not limited to any waters or wastes that for a duration of 15 minutes or more have a concentration more than five times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour period of normal operation.

(K) Any waters or wastes containing suspended solids of such character and quantity that unusual provisions, attention and expense would be required to handle such materials at the sewage treatment plant, its pumping stations or other facilities.

(L) Any waters or wastes containing incompatible pollutants as herein described.

(M) Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with the biochemical processes of the sewage treatment plant, that will pass through the plant into the receiving waters or accumulate in the sludges in an amount exceeding the limitations, set forth by any federal, state, interstate or local limitations

whichever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concentrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the general rules and regulations.

(N) Any bulk waste, either industrial or domestic, without prior written approval of the Superintendent.

(O) Any substances with objectionable color not removed by the treatment process, such as, but not limited to dye waste and vegetable tanning solutions.

(P) The city reserves the right to refuse, deny or revoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the sewage works or in the event the user is or has been in repeated violation of this chapter. The city further reserves the right in the event of any emergency, to restrict the allowable discharge received from any or all users of the sewerage system during the time of such emergency.

(Q) Pollutants which create a fire or explosion hazard in the city's treatment works or sewage system, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140° Fahrenheit, or 60° centigrade using test methods specified in 40 CFR 261.21.

('74 Code, § 24-16) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92); Am. Ord. G-17-94, passed 8-23-94; Am. Ord. (Ord. G-07-97, passed 7-9-97) Penalty, see § 51.999

§ 51.034 RESPONSIBILITY FOR OBSTRUCTION OR DAMAGE TO SEWERS.

If a public sewer becomes obstructed or damaged because any of the aforementioned substances were improperly discharged, the person or persons responsible for such discharges shall reimburse the city for the expenses incurred by the city for cleaning out, repairing, rebuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs. For multiple offenders, each responsible person shall be assessed a proportionate percentage of the damage.

('74 Code, § 24-17) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94)

§ 51.035 SUBMISSION OF DATA ON INDUSTRIAL WASTE.

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established pursuant to this ordinance. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates the analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the City.

(A) Any person who discharges industrial waste into the city's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an industrial waste questionnaire, baseline monitoring report or permit application, the form for which will be furnished by the city, in which shall be set forth the quantity and characteristics of the

wastes discharged into the city's sewerage system. Any owner desiring to establish a new connection to the public sewer or to establish a new account with sewage works for the purpose of discharging industrial or commercial waste shall 90 days prior to discharge first fill out and file with the Superintendent such a questionnaire, baseline monitoring report or permit application, which shall contain the actual or predicted data relating to the quantity and characteristics of the wastes to be discharged. The Superintendent will evaluate the data furnished by the User and may require additional information, the Superintendent will determine whether to issue an individual wastewater discharge permit. The Superintendent may deny any application for an individual wastewater discharge permit.

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Superintendent to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

All rules and regulations of the sewer utility must also be followed by a permitted user.

(B) Any person who adds, changes, modifies or proposes to change manufacturing or pretreatment processes shall first notify the Water Pollution Control Plant, in writing, and submit a new or revised Permit application for review by the Superintendent.

(C) Industrial users must provide prior notification to the Superintendent of the WPC Plant before any changes are made to their effluent.

(D) Any person who knowingly makes any false statement, representation or certification in any application, report or other document required by this chapter or other applicable regulations shall, upon conviction, be punished by the imposition of a criminal penalty as required by local and/or state statutes.

(E) When special circumstances render it an unreasonable burden to comply with the time schedule determined by the sewage works for the correction of any industrial waste discharge problem, an extension of time, not to exceed 90 days, may be granted by the Superintendent upon presentation in writing of an application for such relief.

(F) All Significant Industrial Users, whether categorical or non-categorical, shall comply with the reporting requirements found at 40 CFR 403.12. Data collected to satisfy reporting requirements must be representative of the conditions occurring during the period covered by the report. All samples shall be collected using protocols, including appropriate preservation, specified in 40 CFR Part 136.

(G) Written reports will be deemed to have been submitted on the date postmarked by the United States Postal Service or the documented date transferred to an alternate carrier such as Federal Express or UPS. For Hand delivered reports, the date of receipt shall govern.

(H) A penalty of $50.00 may be assessed to any User for each report required by this ordinance, a permit, or order that is submitted fifteen (15) days or more after the required submittal date. Actions taken by the City to collect late reporting penalties shall not limit the City's authority to initiate other enforcement actions for late reporting violations.

('74 Code, § 24-18) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97) Penalty, see § 51.999

§ 51.036 CONFIDENTIAL INFORMATION.

Information and data furnished to the city by any person shall be made available to the public or other governmental agency without restriction unless the person specifically

requests and is able to demonstrate in accordance with 40 CFR 2.203 and 330 IAC 5-1.5-8 that the release of such information would divulge information and/or methods of production entitled to protection as trade secrets or proprietary information of said person. The above limitation to access has no application to the USEPA, which shall be entitled to immediate and unlimited access to all information collected by the city under its Pretreatment Program. Further, under no circumstances may the volume or the components of the discharge be considered confidential. All requests, by the user, for confidentiality of information shall be made in accordance to and governed by the provisions of 330 IAC 5 and 40 CFR 2.

('74 Code, § 24-19) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94)

§ 51.037 CONTROL MANHOLES.

Any person who discharges or may discharge industrial wastes into a public sewer via any means such as floor drains, sinks, catch basins, and the like, shall be required by the Superintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement and sampling of owner's waste. Such manholes shall be constructed in accordance with the standards and specifications of the city. The Superintendent may also require the person to install and maintain in any such manhole, at said person's expense, an approved volume-measuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

('74 Code, § 24-20) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94)

§ 51.038 GREASE AND SAND TRAPS.

Whenever the Superintendent determines that interceptors or traps are needed to protect the city's sewerage collection system or the city's treatment plant from grease, oil, sand or similar substances occurring in any person's sewage and so notifies said person, then such traps shall be promptly installed by said person, at said person's expense and shall be so maintained by that person that none of such substances can be discharged or carried over into the public sewers. All traps or interceptors shall meet the city's standards as to construction, location and installation.

('74 Code, § 24-21) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94)

§ 51.039 INSPECTIONS; WASTE SAMPLING.

(A) Any User may be subject to periodic and random inspections by the city for the purpose of determining compliance with permit limitations, solvent management plans or spill prevention plans, identifying dilution streams or to categorize regulated processes. These inspections may consist of monitoring waste streams, inspection of the premises, inspection and/or copying of production records, pretreatment operating records and other records or data deemed necessary by the inspector for the purposes stated above.

The Superintendent shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.

The Superintendent may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure

wastewater flow and quality shall be calibrated at least once per year to ensure their accuracy.

(B) All wastewater samples must be representative of the User's discharge. Control Manholes and or flow measurement installations shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep such facilities in good working order shall not be grounds for the User to claim that sample and or flow results are unrepresentative if its discharge. The installation, operation and maintenance of the sampling facilities shall be the responsibility of the person discharging the wastes and shall be subject to the approval of the Superintendent. Access to the sampling facilities shall be granted, at all times, to the Superintendent.

(C) Where any person's operations have security measures in force which require proper identification and clearance before entry onto said person's property is granted, such person shall make the necessary arrangements with their security personnel that upon showing of proper identification personnel from the city shall be permitted to enter, without delay, for the purpose of observing or monitoring of wastes being discharged at a given point or points or that person shall install suitable control manholes outside of the security area or areas, which at all times will be immediately available to city personnel.

Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Superintendent and shall not be replaced. The costs of clearing such access shall be born by the User.

Unreasonable delays in allowing the Superintendent access to the User's premises shall be a violation of this ordinance.

('74 Code, § 24-22) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

§ 51.040 WASTE ANALYSIS PROCEDURES AND CHARGES.

All pollutant Analyses, including sampling techniques, required under this ordinance or by any Industrial Wastewater Discharge Permit, shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods of any other applicable sampling and analytical procedures, including procedures suggested by the City or other parties approved by EPA.

(A) *Charges to users.* Alternate methods for certain analyses of commercial, industrial or institutional establishments may be used subject to mutual agreement between the Superintendent and the user. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependent upon the character and concentration of wastes. When surveillance sampling is conducted by the city, a split shall be made available for analysis by user upon request. In the event of a dispute between the Superintendent and the user as to the toxic nature or other particulars of the sample taken and analyzed by the city, the dispute shall be resolved through an appeals process consistent with approved USEPA or IDEM guidance documents and methodology, the specific procedures for which shall be set out in the rules and regulations of the WPC Utility. Analyses made by the city at the request of the user shall be charged to the user according to the sewage works' standard work order billing procedure.

(B) *Charges to governmental agencies.* Analyses performed by the Water Pollution Control Plant Laboratory for any governmental agency, or political subdivision of a city,

county or state shall be billed to such agency or subdivision for direct labor and expenses according to the sewage works' standard work order billing procedure. Analyses performed for other agencies shall not have priority over the regular Water Pollution Control Plant analyses unless in the judgment of the Superintendent the urgency of the analyses warrants such priority.

(C) *Charges of outside services.* Analyses performed by the Water Pollution Control Plan Laboratory for any person shall be billed at the rate established by the Water Pollution Control Plan Laboratory for such analyses.

(D) *Charges collected.* All waste analysis charges collected under divisions (A) through (B) above shall be recorded as credits to the operating costs of the Water Pollution Control Plant and a quarterly accounting thereof shall be forwarded to the Superintendent. All such charges are to be used to defray the operation and maintenance expenses incurred by the Water Pollution Control Plant in performing said analyses.

('74 Code, § 24-23) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97)

§ 51.041 USE OF REPRESENTATIVE ANALYSIS.

Until an adequate analysis of a representative sample of user's wastes has been obtained, the city may, for the purpose of this chapter, make a determination of the character and concentration of the wastes by using data based on analysis of similar processes or data for this type of business that are available from the United States Environmental Protection Agency or from industry-recognized authoritative sources. This method, if selected by the city, shall continue at the city's pleasure or until an adequate analysis has been made.

('74 Code, § 24-24) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94)

PRIVATE SEWAGE DISPOSAL

This subchapter (§§ 51.050 through 51.059) applies to matters under the jurisdiction of the State and Allen Country Board of Health.

§ 51.050 DEFINITIONS.

(A) The words and phrases used in this subchapter (§§ 51.050 through 51.059) are herein defined, and for the purpose of this subchapter only, shall be construed as follows, except when otherwise expressly provided.

(1) ***STATE DEFINITIONS.*** All definitions set forth in 410 IAC 6-8.1, Bulletin SE-11(1986) and Bulletin SE-13 (1988), as amended from time to time, from the Indiana State Department of Health are hereby incorporated by reference.

(2) ***BOARD.*** The Fort Wayne-Allen County Board of Public Health, Fort Wayne, Allen County, Indiana.

(3) ***BUILDING.*** A structure having a roof supported by columns or walls built or used for the enclosure, shelter, protection or occupancy or persons, fixtures or personal property, and from which there emanates any sewage.

(4) ***COMMERCIAL.*** Any building which is not a one or two family dwelling.

(5) ***DEPARTMENT.*** The Fort Wayne-Allen County Department of Public Health, Fort Wayne, Allen County, Indiana, and/or its employees.

(6) ***ENVIRONMENTAL HEALTH SPECIALIST.*** An individual as defined in IC 25-32-1-2(b).

(7) ***HEALTH COMMISSIONER.*** The Director of Public Health for the Fort Wayne-Allen County Department of Public Health for Fort Wayne, Allen County, Indiana, (designated as "Health Officer" in the state rules and regulations) and/or his/her authorized representative.

(8) ***INSTALLER.*** Any person who constructs, installs, replaces, alters, modifies or repairs any residential or commercial sewage disposal system subject to the provisions of this chapter, other than one which serves his/her/its building. In the event that the person is any association of two or more people, then said association shall designate one individual who shall be designated as the installer and responsible for compliance with all provisions hereunder.

(9) ***PERMIT.*** A certificate of a size and style approved by the Health Commissioner.

(10) ***PERMITTEE.*** The person who is the owner of the real estate, his/her/its authorized representative, who is responsible for the application of a construction permit and/or operating permit and who shall be responsible for the acceptance of notices at the address listed on the permit applications.

(11) ***PUBLIC SEWER.*** A sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the city or other public authority.

(12) ***RESIDENTIAL.*** A building used as a one or two-family dwelling.

(13) ***SEWAGE.*** The water-carried wastes from residences, business buildings, institutions and industrial establishments, singularly or in any combination, together with such ground, surface and storm waters as may be present.

(14) ***SOILS SCIENTIST.*** An individual who is a Specialist or Classifier, registered with the American Registry or Certified Professionals in Agronomy, Crops and Soils (ARCPACS).

(Ord. G-07-97, passed 7-9-97)

§ 51.051 SEWAGE DISPOSAL.

(A) *State rules.* All rules and regulations of 410 IAC 6-8.1, 410 IAC 6-10, Bulletin SE-11 (1986) and Bulletin SE-13 (1988), as amended from time to time, from the Indiana State Department of Health are hereby incorporated by reference.

(B) *Public sewer available.* Whenever a public sewer is or becomes available within 300 feet of a residential or commercial lot line, a direct connection shall be made to said public sewer, provided direct access is reasonably available via easement or other appropriate means. All existing septic tanks, sewage pits, outhouses, privy pits and similar sewage disposal systems or treatments facilities shall be abandoned and filled in a safe an sanitary manner. Permittee shall have ninety (90) days from the date that the public sewer becomes available to make a direct connection to the public sewer and to abandon and fill in the existing sewage disposal system.

(C) *Public sewer not available.* All residential and commercial buildings which are not connected to a public sewer shall be connected to a private sewage disposal system which shall comply with the standards set forth herein.

(D) *Construction of privy.* Sanitary vault privies constructed and maintained pursuant to Bulletin SE-11 (1986) shall be approved by the Health Commissioner.

(E) *Correction of defects.* Should any defect exist or occur in any private sewage disposal system or privy which would cause the sewage disposal system or privy to fail to meet the requirements of this Chapter, then the defect shall be corrected by the owner/permittee pursuant to the time table established by the Health Commissioner. Failure to correct the defect within the time table established by the Health Commissioner shall be considered a violation of this chapter and shall subject the owner/permittee to the sanctions set forth in § 51.059 subject, however, to the hearing provisions of § 51.058.

(F) *Adaptation of residential systems.* Whenever there is any alteration of the structure or change in the use or occupancy of a residential building that would affect the functioning of the existing private sewage disposal system, including the addition of bathrooms, kitchens or other related water disposal mechanisms, then the system shall be modified, enlarged or replaced in accordance with the requirements of this chapter.

(G) *Adaptation of commercial system.* Whenever there is any alteration of the structure or significant change in the use or occupancy of a commercial building which would affect the functioning of the existing private sewage disposal system, including the addition of bathrooms, kitchens or other related water disposal mechanisms, then the system shall be modified, enlarged or replaced in accordance with the requirements of this chapter.

(Ord. G-07-97, passed 7-9-97)

§ 51.052 CONSTRUCTION REQUIREMENTS OF PRIVATE SEWAGE DISPOSAL SYSTEMS.

(A) *Indiana State Department of Health Requirements.* All rules and regulations of 410 IAC 6-8.1, Bulletin SE-11 (1986) and Bulletin SE-13 (1988), as amended from time to time, from the Indiana State Department of Health are hereby incorporated by reference.

(B) *Lot dimensions.*

(1) Lots or tracts of real estate on which residential or commercial sewage disposal systems are to be installed and which are rated slight or moderate for septic tank absorption fields by the U.S. Department of Agricultural Soil Conservation Service, shall contain a minimum of one (1.0) acre or 43,560 square feet and suitable soils and topography to permit compliance with this chapter.

(2) Lots or tracts of real estate on which residential or commercial sewage disposal systems are to be installed and which are rated severe for septic tank absorption fields by the U.S. Department of Agriculture Soil Conservation Service shall contain a minimum of two (2.0) acres or 87,120 square feet and suitable topography to permit compliance with this chapter.

(3) A permittee, whose real estate was a separate parcel for tax purposes as shown on the tax records of the Auditor of Allen County, Indiana, and recorded prior to the effective date of this chapter as set forth in 51.059 (I) shall not be prohibited from the construction, installation and eventual operation of a residential sewage disposal system solely as the result of his/hers/its lot dimensions being less than those set forth above in (1) and (2), provided that he/she/it meets all other requirements of this chapter.

(C) *On-site evaluation.* At least one boring from the submitted septic disposal system location shall be done with a soil auger. A second sample from the submitted septic disposal system location, and any additional confirmation samples, may be taken with a push probe.

(D) *Requirements for septic tanks.*

(1) Residential septic tanks shall have the following number of gallons:

(a) If the number of bedrooms in a dwelling are one, two, three or four: 1,250 gallon tank.

(b) If the number of bedrooms in a dwelling are five: 1,500 gallon tank.

(c) If the number of bedrooms in a dwelling are more than five: 1,500 gallon tank + 150 gallons x the number of bedrooms over five.

(E) *Final grade.* All distribution boxes shall be extended full size to ground level or final grade.

(F) *Access openings.* All septic tanks shall have at least one (1) access opening of at least ten (10) inches in diameter, for each compartment in said tank for inspection and cleaning purposes. All such access opening shall be extended to ground level and shall be fitted with safely secured, gas tight covers.

(G) *Abandoned septic tanks.* Abandoned septic tanks shall be filled with earth, sand or gravel or shall be removed.

(H) *Inspection pike.* Each private sewage disposal system shall have at least one suitable inspection pipe, which shall be accessible to the Health Commissioner at all reasonable times for the inspection or sampling of effluent. If an inspection pipe does not exist, is not in good repair or is not accessible, such fact shall constitute a defect in the system under 51.051(E).

(1) The inspection pipe shall be installed at the far end of one of the absorption lines, or just beyond the last equipment or device in any other treatment system.

(2) The inspection pipe shall be not less than an eight (8) inch riser of Schedule 40, SDR 22 or SDR 26 PVC pipe or vitrified clay pipe extending above the surface of the grounds with a safely secured easily removable cap or cover and with its lower end connected and arranged to permit the collection, by dipping, of an effluent sample.

(Ord. G-07-97, passed 7-9-97)

§ 51.053 CONSTRUCTION PERMIT.

(A) Construction permit required. An owner or permittee shall first obtain a construction permit from the Health Commissioner prior to the commencement of any excavation, construction, alteration, repair, modification or addition to any existing or new private sewage disposal system.

(B) Permit to be posted. No person shall perform any work on a private sewage disposal system project unless a valid construction permit is first obtained and is properly posted in a conspicuous place at or near the building where the private sewage disposal system is to be constructed. The permit shall be plainly visible from the public thoroughfare serving the building until the project is completed.

(C) Application for permit. The application for such permit shall be submitted to the Health Commissioner on a form provided by the Health Commissioner and shall be supplemented by any plans, specification and other information deemed necessary by the Health Commissioner or as required by 410 IAC 6-8.1-48.

(D) Permit fees. Prior to the issuance of any permit, each owner/permittee shall first tender to the Treasurer of Allen County, Indiana, a fee or fees, which shall be deposited into the City-County Health Fund, for each system being constructed, modified, altered or repaired in accordance with the following schedule.

(1) New construction - $75.00.

(2) Alteration, modification or repair of existing system - $50.00.

(3) Revision of existing permit prior to construction - $20.00.

(E) Term and renewal. A construction permit shall be valid for one (1) year from the date of issuance, and may be renewed for up to an additional six (6) months upon application. If the permit is renewed, the permittee shall comply with any changes in the rules, standards or requirements which may have come into effect subsequent to the original date of issuance. The construction permit is not transferable.

(Ord. G-07-97, passed 7-9-97)

§ 51.054 INSTALLERS REGISTRATION.

(A) *Registration requirements.* Except for a person working on his/her/its own private sewage disposal system which serves the dwelling in which he/she/it resides, no person shall construct, install, replace, alter, modify or repair any private sewage disposal system unless that person has first registered with the Department as an installer. Persons required to be registered shall be given a grace period of up to six (6) months after the effective date of this chapter in which to register with the Department. Application for registration shall be on forms provided by the Department.

(B) *Conditions for registration.*

(1) Every person required to register under this section shall be knowledgeable of all laws, rules and regulations of both the state and county governing private sewage disposal systems. Prior to registration, the applicant must demonstrate knowledge of the applicable laws, rules and regulation by passing a proficiency exam conducted by the Department with a score of eighty percent (80%) or higher. The registration exam shall be reviewed from time to time to determine its applicability to current laws, rules and regulations. Where taking a written exam is not feasible, due to language or reading difficulties, arrangements will be made to allow for an oral examination to assure proficiency. Opportunity for reexamination shall be afforded to an applicant upon request but no more frequently than once per month.

(C) Seminar. At the request of the Health Commissioner, but not more than once per year, a person registered under this section shall attend a seminar on sewage disposal conducted by the Department of the Indiana State Department of Health.

(D) *Expiration.* Registrations under this section shall expire annually on December 31. Each installer shall be required to re-register annually on or before January 15 of each succeeding year.

(E) Annual fee. For a period of six (6) months after the effective date of this chapter, registration under this section shall be without fee. After that date, an annual registration fee of $40.00 will be charged which shall be paid not later than January 31 of each year.

(F) Notice of violation. Whenever the Health Commissioner determines that there has been a violation of any provision of this chapter or the applicable rules and regulations of the Indiana State Department of Health by an installer, the Health Commissioner shall give written notice, in person or by certified mail, of the alleged violation to the installer. Such notice shall include the following:

(1) A statement of the alleged violation.

(2) An order allowing a reasonable time for the performance of any act required to correct the violation.

(G) Suspension or revocation. If the violation is not corrected within the designated time, the Health Commissioner may suspend or revoke the installer's registration subject to the provisions contained in 51.058 (B), (C) or (D).

(1) If the registration is suspended, the installer may be reinstated by the Health Commissioner upon correction of all violations.

(2) If the registration is revoked, the Health Commissioner shall require, at a minimum, that the installer: 1) be retested; 2) pay the registration fee; and, 3) correct all outstanding violation to the satisfaction of the Health Commissioner prior to being re-registered.

(H) Not registered. Any person constructing, installing, replacing, altering or repairing any private sewage disposal system who is not registered as an installer under this section shall be deemed to be in violation of this chapter and shall be subject to all penalties set forth in § 51.059.

(Ord. G-07-97, passed 7-9-97)

§ 51.055 INSPECTION.

(A) Commencement of construction. Upon issuance of a construction permit under § 51.053(A), the permittee may commence installation and construction of the private sewage disposal system. The Health Commissioner may inspect the work at any state of construction.

(B) Inspection. Upon substantial completion of the installation, the permittee shall notify the Health Commissioner that the work is ready for inspection. No portion of the installation shall be covered until the inspection is made.

(1) No portion of the installation shall be used and, when the system serves a new building, no person shall be permitted to use the building or buildings until the inspection has been completed and the system is found to be in compliance and an operation permit has been issued.

(2) The inspection shall be made within two (2) working days of the receipt of notice by the Health Commissioner that the system is ready for inspection.

(C) Issuance of operation permit. If the system meets all requirements and is in compliance with the law, the Health Commissioner shall issue an Operating Permit.

(D) Operating permit required. It shall be unlawful for any person to use or operate a private sewage disposal system unless said person possesses a valid operating permit issued by the Health Commissioner.

(E) Valid period. The Operating Permit shall be valid until there is a change in the use associated with the system. The issuance date shall appear on the Permit. The operation permit is not transferable.

(F) Application for permit. The application for an operation permit shall be made to the Health Commissioner on forms provided by the Health Commissioner.

(G) Time of issuance. An operating permit shall be issued within five (5) days of the inspection of the system once the Health Commissioner has determined that the permittee has complied with all applicable provisions of this chapter, the related state rules and regulations and tendered the appropriate permit fee.

(H) Renewal. Renewal of the Operating Permit is the duty of the permittee.

(Ord. G-07-97, passed 7-9-97)

§ 51.056 MAINTENANCE AND SAMPLING.

(A) Sanitary Condition Mandatory. Every private sewage disposal system shall be constructed and maintained so that the effluent leaving the Permittee's system shall be sanitary.

(B) Inspection and sampling. The Health Commissioner shall be permitted to enter upon any property at any reasonable time to inspect and take samples from a private sewage disposal system. If said test results should indicate a residential or commercial sewage disposal system failure, said failure shall constitute a violation of § 51.051(E).

(Ord. G-07-97, passed 7-9-97)

§ 51.057 ECONOMIC HARDSHIP.

(A) Economic hardship. In the event an owner/permittee is unable to comply with the provisions of § 51.051(B) due to the economic hardship that might be imposed, then the Health Commissioner may, upon application and proof of inability to pay the cost of compliance, extend the period within which said owner/permittee shall be required to make the hook-up provided the owner/permittee has an existing private sewage disposal system which is operating properly.

(Ord. G-07-97, passed 7-9-97)

§ 51.058 DENIAL; SUSPENSION; REVOCATION.

(A) Denial and approval of permit.

(1) In the event the Health Commissioner determines that the application for the Construction Permit and/or Operating Permit does not meet the standards set forth in this chapter, then the Health Commissioner shall be required to notify the Permittee of such denial in writing, within thirty (30) days of the original application, stating the specific reasons for the denial of the permit.

(2) Failure of the Health Commissioner to issue a written denial of a permit and/or to issue specific written directions regarding corrective actions that need to be taken to obtain

the permit within thirty (30) days from the date of application of the Construction Permit shall be construed as an approval of the Construction Permit. In the event the Health Commissioner issues written directives regarding corrective actions, then the permittee and/or his agent shall have a reasonable amount of time to address the items set forth in the directives in order to be able to obtain the Construction Permit.

(3) Failure of the Health Commissioner to issue a written denial of an Operating Permit and/or to issue specific written directions regarding corrective actions that need to be taken to obtain the permit within ten (10) days from the date of application of the Operating Permit shall be construed as an approval of the Operating Permit. In the event the Health Commissioner issues written directives regarding corrective actions, then the Permittee and/or his agent shall have a reasonable amount of time to address the items set forth in the directives in order to be able to obtain the Operating Permit.

(B) Suspension of permit/registration. The Health Commissioner may order the suspension of a Construction Permit or Operation Permit or installer registration. The Health Commissioner may order the suspension of a permit or registration for any of the following reasons:

(1) Failure to meet any of the standards of any of the provisions of this chapter or violations of any of provisions of this chapter.

(2) Interference with the Health Commissioner in the performance of his/her duties. Interference shall be defined as the process of obstructing, hampering or blocking the Health Commissioner in the performance of his/her duties.

(3) At the request of the permittee or installer, a hearing shall be afforded him/her/it within twenty-four (24) hours of the issuance of the written suspension order. Said hearing shall be conducted as set forth in 51.058(E).

(C) Revocation of permit/registration. Any permit and/or registration issued hereunder may be revoked by the Health Commissioner as the result of the willful or continued violation of any provision of this chapter. No such revocation shall be ordered by the Health Commissioner except after a hearing held pursuant to § 51.058(E) upon at least ten (10) days written notice to the owner/permittee/installer of the time, place and nature of said hearing. Said notice of hearing shall be served upon the owner/permittee/installer by leaving, or mailing (certified mail) the notice to the address listed by the owner/permittee/installer at his/her/its address on the permit, application or installer registration application.

(D) Immediate revocation. Notwithstanding any of the other provisions of this chapter, whenever the Health Commissioner finds unsanitary or other conditions, which, in his/her opinion constitute an imminent health hazard, he/she may, without notice or hearing, issue and serve a written order on the owner/permittee/installer requiring the immediate cessation of operation/installation. Said written order shall site the existence of the imminent health hazard and shall specify the corrective action to be taken. Such order shall be effective immediately. Upon petition to the Health Commissioner, the permittee/installer shall be afforded a hearing within twenty-four (24) hours of the issuance of the written order. Said hearing shall be conducted as set forth in 51.058(E).

(E) Hearing. At any hearing required under this chapter, every owner/permittee/installer who is a party to such proceeding shall have the right to submit evidence, to cross examine witnesses and to be represented by counsel. All such hearings shall be conducted in an informal manner, but irrelevant, immaterial or unduly repetitious material shall be excluded. Upon the conclusion of the hearing, the Health Commissioner shall issue a final order determining the issue(s) which shall be conclusive on all parties subject to the right of appeal.

(F) Appeal.

(1) Any owner/permittee/installer aggrieved by an final order of the Health Commissioner shall be entitled to a review of the final order before the Board by filing a written request with the Secretary for the Board within fifteen (15) days of the Health Commissioner's final order.

(2) Upon the Secretary's receipt of such request, the Board shall hear the matter de novo in open hearing upon at least ten (10) days written notice of the time, place and nature thereof. The notice shall be issued by the Secretary for the Board to owner/ permittee/installer filing the request.

(3) The notice shall be served upon the owner/permittee/installer by leaving or mailing (certified mail) the notice to the address listed on the application as his/her/its address or such other address he/she/it shall designate in writing.

(4) At such hearing, the same rules of procedure shall apply as in the case of the hearing before the Health Commissioner. Upon written demand by the owner/permittee/installer, the Board shall cause the proceedings before it to be recorded by a stenographer or reporter employed for such purpose, and the same, together with all papers and documents filed therein, shall be reproduced by said Commissioners of Allen County, Indiana in the form of a transcript, a copy of which shall be available to any party.

(5) The expense of such proceedings shall be charged to the owner/permittee/installer who applied for the review, except that copies of the transcript shall be at the expense of the party obtaining same. The Commissioners of Allen County, Indiana may require the deposit of an amount determined to secure such expense.

(6) The Board shall make written findings of facts and shall enter its final order or determination of the matter in writing in the permanent records of the Board.

(Ord. G-07-97, passed 7-9-97)

§ 51.059 PENALTIES.

(A) Enforcement. It shall be the duty of the Department and/or the Health Commissioner to enforce the provisions of this chapter. Any permit or registration issued in conflict with the provisions of this chapter shall be null and void. A violation of an order issued by the Health Commissioner or Board shall be considered to be a violation of this chapter.

(B) Violations. Whenever the Health Commissioner determines that any owner, permittee, installer or any other person, is in willful violation of any of the provisions of this chapter, the Health Commissioner shall furnish evidence of said willful violation to the Prosecuting Attorney of Allen County, Indiana or the attorney for the Board who shall seek all appropriate legal remedies against the person(s).

(C) Penalty. Any person who willfully violates any of the provisions of this chapter shall be subject to a fine of not more than $500.00 for each violation. Each day of the existence of any violation of this chapter shall be considered to be a separate offense.

(D) Injunction. The Health Commissioner may bring an action for an injunction in the Circuit or Superior Court of Allen County, Indiana, to restrain any person from violating the provisions of this chapter, or to cause such violation to be prevented, abated or removed.

(E) Expense. Any person violating any of the provisions of this chapter shall be liable to the Department for the expense, loss or damage occasioned by reason of such violation, including reasonable attorney's fees and court costs.

(F) Cumulative. The remedies provided in this section shall be cumulative, and not exclusive, and shall be in addition to any other remedy provided by law.

(Ord. G-07-97, passed 7-9-97)

SEWER RATES AND CHARGES

§ 51.065 CHARGES BASED ON WATER USAGE/ FLAT CHARGES.

The charges made for sewerage service rendered to each lot, parcel of real estate or building having any connection with the city's sewerage system or otherwise discharging sewage into the system, either directly or indirectly, shall be based upon the quantity of water presumed to enter the public sewers after being used in or on the property, as the quantity is measured by the water meter or meters there in use by the city's water utility, except as herein otherwise provided. Flat charges shall be assessed on a monthly basis. For the purposes of this chapter, a month shall constitute 25-35 days. Service periods falling outside this parameter shall be prorated.

('74 Code, § 24-25) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.066 WATER OBTAINED FROM SOURCES OTHER THAN CITY'S WATER UTILITY.

Where the property obtains any part or all of the water used from sources other than the city's water utility, the owner or the tenant may be required by the city to install and maintain at the user's own expense a meter or meters acceptable to the city for the quantity of water obtained from these other sources. Once installed, no such meter may be bypassed for any reason.

('74 Code, § 24-26) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

§ 51.067 EXEMPT WATER - GENERAL.

Where a significant portion of the metered water does not and cannot enter the sewerage system, either directly or indirectly, the person having charge of the property may request permission from the city to install at the user's expense either an approved meter or meters to determine the quantity of water that cannot enter the sewerage system or an approved sewage-measuring device or devices to determine the volume of sewage that actually enters the sewerage system. In any case the service charge shall be based on the quantity of water that can or actually does enter the public sewers but in no case shall it be less than the minimum charge for the class of user served. Plans and specifications for all such meters shall be submitted to the Superintendent of the Water Pollution Control Plant and approved prior to installation.

('74 Code, § 24-27) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

§ 51.068 METERING OF SEWAGE.

The city may require a person to install and maintain at the user's expense an approved device to measure directly the volumes of wastes discharged to the sewerage system if those volumes cannot otherwise be determined from the metered-water consumption records. The city shall inspect and approve such installation and no such services, once installed, shall be removed without the city's approval.

('74 Code, § 24-28) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.068.5. DEPOSIT TO ENSURE PAYMENT OF SEWER FEES.

(A) Pursuant to IC 36-9-23-28, City Utilities may require the owner, lessee, or user of property served by the Utility to pay a deposit to ensure payment of sewer fees.

(B) The deposit required shall equal the estimated average payment due from the property served by the Utility for a three month period. Deposits shall be retained in a separate fund.

(C) The deposit, less any outstanding penalties and service fees, shall be refunded to the depositor after a notarized statement from the depositor that as of a certain date the property being served:

(1) Has been conveyed or transferred to another person; or

(2) No longer uses or is connected with any part of the municipal sewage system.

A statement under division (C)(1) must include the name and address of the person to whom the property is conveyed or transferred.

(D) If a depositor fails to satisfy costs and fees within 60 days after the termination of his use or ownership of the property served, the deposit and all accrued interest is forfeited. The forfeited amount shall be applied to the depositor's outstanding fees. Any excess that remains due after application of the forfeiture may be collected in the manner set out in §§ 51.099 and 51.100 herein. A deposit may be used to satisfy all or part of any judgment awarded the municipality under this chapter.

(E) A deposit made under this section that has remained unclaimed by the depositor for more than seven termination of the services for which the deposit was made becomes the property of City Utilities.

(Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

§ 51.069 RESIDENTIAL USER CHARGES.

(A) In-city service and billing charges.

(1) Service charge. Charges for services rendered to residents within the corporate boundaries of the City of Fort Wayne shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

	Per 100 cubic feet
Treatment	$1.3970
Conveyance and Collection	$1.4751
Total User Charge	$2.8721

(2) Billing charge. Residential users inside the city shall be billed a monthly billing fee of $4.08.

(B) Outside city service and billing charges.

(1) Service charges. Charges for services rendered to residents outside the corporate boundaries of the City of Fort Wayne shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

	Per 100 cubic feet
Treatment	$1.7463
Conveyance and Collection	$1.8439
Total User Charge	$3.5902

(2) Billing charge. Residential users outside the city shall be billed a monthly billing fee of $5.10.

(C) Annexation areas. Hereinafter, the terms "inside city" or "outside city" shall be read to distinguish the users located within or outside the corporate boundaries of the City of Fort Wayne. Users designated as outside city who are within an annexation area shall, upon the effective date of annexation, be designated as inside the city and inside city rates and charges shall apply.

('74 Code, § 24-31)

(D) Flat user charges.

(1) In the event that any user in this classification is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of	Monthly Flat Charge (2)	
Residential User	Inside City	Outside City
Single-Family Dwelling	$32.80	$41.00
Multi-Family Dwelling	To be estimated by city	

(2) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system, multiplied by the single-family dwelling monthly charges. A 25% surcharge shall apply to the rates charged to users outside the city.

(3) The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time.

However, no adjustment, additional charge or refund may be made more than six years after the due date of the billing sought to be adjusted.

('74 Code, § 24-30) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-27-00, passed 10-24-00; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

§ 51.070 INDUSTRIAL USER CHARGES.

(A) *Service charge.* Charges for services rendered shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

	Per 100 cubic feet	
	Inside City	Outside City
Treatment	$1.3970	$1.7463
Conveyance and Collection	$1.4751	$1.8439
Total User Charge	$2.8721	$3.5902

(B) *Flat user charge.* In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the city. A 25% surcharge shall apply to the rate charged to such users located outside the city.

(C) *Other industrial user charges.*

(1) *Billing charge.* Monthly billing charge - per bill:

(a) Inside city: $4.08.

(b) Outside city: $5.10.

(2) *Excess strength of waste.* In the event any user in this classification contributes waste having strength of sewage in excess of domestic waste characteristics, as herein defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

	Dollars Per Pound
Suspended Solids - (SS)	$0.0968
Biochemical Oxygen Demand - (BOD)	$0.1235
Phosphorus - (P)	$1.4575
Ammonia - (NH-3)	$0.3748

(3) Food service establishments. Food service establishments as defined in § 51.001 and industrial users that are engaged in or have on-site contractors that are engaged in the preparation, processing or serving of cooked food, cooked food products and beverages as well as any other types of food manufacturing or food preparation enterprises such as, but not limited to, commissaries, commercial kitchens and caterers shall pay an extra-strength surcharge of $0.9248 per 100 cubic feet of sewage.

('74 Code, § 24-32) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-27-00, passed 10-24-00; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

§ 51.071 COMMERCIAL USER CHARGES.

(A) Service charge. Charges for services rendered shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

	Per 100 cubic feet	
	Inside City	Outside City
Treatment	$1.3970	$1.7463
Conveyance and Collection	$1.4751	$1.8439
Total User Charge	$2.8721	$3.5902

(B) Flat user charge. In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the city. A 25% surcharge shall apply to the rate charged to users located outside the city.

(C) Other commercial user charges.

(1) Billing charge. Monthly billing charge - per bill.

(a) Inside city: $4.08.

(b) Outside city: $5.10.

(2) Excess strength of waste. In the event any user in this classification contributes waste having a strength of sewage in excess of domestic waste characteristics, as herein defined, such user will be charged for surveillance, as set forth elsewhere herein, and surcharges, as established for industrial users, except as set forth in the following paragraph.

(3) *Food service establishments.* Food service establishments as defined in § 51.001 and commercial users that are engaged in or have on-site contractors that are engaged in the preparation, processing or serving of cooked food, cooked food products and beverages as well as any other types of food manufacturing or food preparation enterprises such as, but not limited to, commissaries, commercial kitchens and caterers shall pay an extra-strength surcharge of $0.9248 per 100 cubic feet of sewage.

(Ord. G-17-91, passed 6-12-91; ; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-27-00, passed 10-24-00; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

Editor's note:

IC 7.1-3-16.5 was repealed by P.L. 224-2005, approved 5-11-05.

§ 51.072 INSTITUTIONAL USER CHARGES.

(A) *Service charge.* Charges for services rendered shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

Per 100 cubic feet

	Inside City	Outside City
Treatment	$1.3970	$1.7463
Conveyance and Collection	$1.4751	$1.8439
Total User Charge	$2.8721	$3.5902

(B) *Flat user charge.* In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the city. A 25% surcharge shall apply to the rate charged to users located outside the city.

(C) *Other institutional user charges.*

(1) *Billing charge.* Monthly billing charge - per bill.

(a) Inside city: $4.08.

(b) Outside city: $5.10.

(2) *Excess strength of waste.* In the event any user in this classification contributes waste having a strength of sewage in excess of domestic waste characteristics, as herein defined, such user will be charged for surveillance, as set forth elsewhere herein, and surcharges, as established for industrial users.

(3) *Food service establishments.* Food service establishments as defined in § 51.001 and institutional users that are engaged in or have on-site contractors that are engaged in the preparation, processing or serving of cooked food, cooked food products and beverages as well as any other types of food manufacturing or food preparation enterprises such as, but not limited to, commissaries, commercial kitchens and caterers shall pay an extra-strength surcharge of $0.9248 per 100 cubic feet of sewage.

(Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-27-00, passed 10-24-00; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

§ 51.073 GOVERNMENTAL USER CHARGES.

(A) Service charge. Charges for services rendered shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

Per 100 cubic feet

	Inside City	Outside City
Treatment	1.3970	1.7463
Conveyance and Collection	$1.4751	$1.8439
Total User Charge	$2.8712	$3.5902

(B) Flat user charge. In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the city. A 25% surcharge shall apply to the rate charged to users located outside the city.

(C) Other governmental user charges.

(1) Billing charge. Monthly billings charge - per bill.

(a) Inside city: $4.08.

(b) Outside city: $5.10.

(2) Excess strength of waste. In the event any user in this classification contributes waste having a strength of sewage in excess of domestic waste characteristics, as hereinbefore defined, such user will be charged for surveillance, as set forth elsewhere herein, and surcharges, as established for industrial users.

(3) Food service establishments. Food service establishments as defined in § 51.001 and governmental users that are engaged in or have on-site contractors that are engaged in the preparation, processing or serving of cooked food, cooked food products and beverages as well as any other types of food manufacturing or food preparation enterprises such as, but not limited to, commissaries, commercial kitchens and caterers shall pay an extra-strength surcharge of $0.9248 per 100 cubic feet of sewage.

(Ord. G-17-91, passed 6-12-91; ; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-27-00, passed 10-24-00; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

§ 51.074 WHOLESALE CONTRACT CUSTOMERS - UNIT AND OTHER CHARGES.

In the event the city consummates a contract to serve as a regional treatment plant for any other municipality, private sewage utility or sewer district, either contiguous to the city or in its environs, said contract shall provide for the following unit charges:

(A) Volume charge.

(1) Treatment: $1.3970 per 100 cubic feet.

(B) Variable charge (per 100 cubic feet). A variable charge for conveyance and collection costs attributable to each contract customer's portion of the city conveyance system, and operating costs associated therewith, shall be computed by the city and added to the treatment cost to arrive at the contractee's total metered rate. Variable charges shall be approved by the Board of Public Works.

(C) Flat charge. In addition to the foregoing charges based on volume of sewage treated, collected and conveyed, each contract customer shall pay a monthly billing charge of $4.08, and an appropriate monthly surveillance charge, based on the type of testing necessary according to the contractee's customer base, as established in § 51.078 herein.

(D) Excess strength of waste. In the event a contract customer user contributes waste having a strength of sewage in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

	Dollars Per Pound
Suspended Solids - (SS)	$0.0968
Biochemical Oxygen Demand - (BOD)	$0.1235
Phosphorus - (P)	$1.4575
Ammonia - (NH-3)	$0.3748

(E) Capital charge. Where a contract calls for the payment of a capital charge (Allen County Institutional Power Plant), such shall be billed to the contract customer.

(F) Capital surcharge. In the event a contract customer delivers sewage for treatment to the city for three consecutive billing periods (approximately 90 consecutive days) which is in excess of the base volume limit guaranteed in the contract, then the customer will be subject to a capital surcharge, computed at the capital rate per 100 cubic feet in effect for outside the city customers set out elsewhere herein. The capital rate per 100 cubic feet shall be multiplied by the excess percentage of volume calculated by dividing the daily average for three billing periods by the contracted volume limit (in gallons per day).

(G) Other provisions. In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by this chapter, the city shall have the right to impose all limitations, charges and penalties applicable to any non-wholesale contract customer user. Each contract entered into by the city pursuant to the foregoing rate classification shall provide that the wholesale contract customer shall agree to enact and maintain a sewer use ordinance and user charge system acceptable to the city and in conformance with the city's obligations under Sec. 204 (b) (1) of Public Law 92-500, as amended and supplemented, and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-2 and 35-935-13.

('74 Code, § 24-33) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-27-00, passed 10-24-00; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

§ 51.075 BULK WASTE CHARGES.

(A) Industrial. For all industrial waste suitable for disposal which has been delivered by an approved water hauler to city's plant - $ 91.34 per load. For purposes of computing charges hereunder, a LOAD is defined as 1,000 gallons of tank capacity or any fraction thereof.

(B) Domestic. For all domestic waste delivered to the city's plant by customer's truck or tank - $54.77 per load. For purposes of computing charges hereunder, a LOAD is defined as 1,000 gallons of tank capacity or any fraction thereof.

(C) Manifest. All bulk waste loads delivered to the Water Pollution Control Plant shall be accompanied by a waste hauler manifest, the form for which will be provided by the city.

(D) Billing charge. All bulk waste haulers shall also be assessed a billing charge of $4.08 per bill.

('74 Code, § 24-34) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-96, passed 2-27-96; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-27-00, passed 10-24-00; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

§ 51.076 STRENGTH-OF-WASTE SURCHARGE

(A) Each user discharging wastes into the collection system shall be subject to a strength-of-wastes surcharge, in addition to other sewage service charges imposed by this chapter, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

(1) Biochemical oxygen demand of 300 milligrams per liter.

(2) Chemical oxygen demand of 600 milligrams per liter.

(3) Suspended solids content of 300 milligrams per liter.

(4) Phosphorus content of 10 milligrams per liter.

(5) Ammonia content of 25 milligrams per liter.

(B) The surcharge shall be determined as follows: The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, phosphorus and ammonia will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between, (a) the concentrations measured in milligrams per liter, of the BOD (or COD), suspended solids, phosphorus and ammonia respectively in the user's sewage, and (b) the allowed concentrations set out in § 51.076. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

('74 Code, §§ 24-36, 24-37) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-36-03, passed 10-28-03; Am. Ord. G-12-09, passed 5-26-09)

§ 51.077 CAPITAL IMPROVEMENT SURCHARGE.

(A) All classifications of users subject to a capital improvement surcharge shall pay the applicable surcharge in addition to other sewage service charges imposed by this chapter. Capital improvement surcharges shall remain in effect until the cost of the intended installations, adjustments or improvements to the water pollution control utility has been retired and the capital improvement surcharge area has been retired.

(B) The designated capital improvement surcharge areas, the respective amount of the surcharges, and frequency of the surcharges include the following:

Capital Improvement Surcharge Area	Dollars Per ERU	Frequency

Deer Track Area $47.95 monthly

(as designated by Board of Works Resolution 92-8-3-05-02)

Newhaus Sewer Area $20.00 monthly

(as designated by Board of Works Resolution 90-271-13)

Rothman East Area $22.50 monthly

(as designated by Board of Works Resolution 92-4-20-05-03)

Southtown Center Area $4.00 monthly

(as designated by Board of Works Resolution 92-5-25-05-02)

Tiernan Shed B Area $22.50 monthly

Upper Ely $20.00 monthly

There are no other capital improvement surcharge areas.

(Ord. G-36-03, passed 10-28-03; Am. Ord. G-30-04, passed 11-23-04; Am. Ord. G-13-05, passed 7-26-05; Am. Ord. G-15-05, passed 8-25-05; Am. Ord. G-14-08, passed 12-9-08; Am. Ord. G-12-09, passed 5-26-09)

§ 51.078 CONTINUING SURVEILLANCE SAMPLING/WASTE EVALUATION CHARGES.

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to the following fixed charges to cover the costs of such services per discharge point.

(A) Monthly evaluation charges.

(1) Type 1 Evaluation: $137.48

(2) Type 2 Evaluation: $151.48

(B) Evaluation charges - per occurrence.

(1) Type 1 Evaluation: $412.43

(2) Type 2 Evaluation (includes metals): $454.43

(3) Grab compliance (FOG): $166.86

(4) Composite compliance: $190.00*

*Plus applicable laboratory testing charges.

('74 Code, § 24-38) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

§ 51.079 ANNUAL REVIEW OF SERVICE CHARGES AND SURCHARGES; REVISION OF CHARGES AND RATES.

Prior to May 1 of each year, the Chief Financial Officer of the city utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, ammonia and phosphorus from the Water Pollution Control Plant influent during the previous year with unit charges currently in effect, from which the Board shall determine whether the current service charges and surcharges are adequate or should be changed, and to request legislative enactment of said changes by the Common Council. The methodology used in developing this cost comparison shall include:

(A) A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.

(B) Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the utility operation attributable to such class.

('74 Code, § 24-35) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

DELINQUENT ACCOUNTS; BILLING OF SERVICE CHARGES

§ 51.090 BILLING PERIOD.

(A) Charges for sewerage services shall be computed and billed by the General Office of the City Utilities. Bills shall be rendered approximately monthly, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings or is otherwise required to adjust billing cycles. For the purpose of this chapter, a month shall constitute 25-35 days. Service periods falling outside this parameter shall be prorated.

(B) Billings for sewerage service shall be rendered with and shall be due and payable on the same due date as billings for water service to the same premises, if any, and if none, then within such billing cycle as the utility may determine.

('74 Code, § 24-40) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.091 LIABILITY FOR PAYMENT; EXAMINATION OF UTILITY RECORDS.

(A) Charges for sewerage service shall be billed to the person being billed for water service, if any, unless by contract with the utility, another person assumes responsibility for payment. Notwithstanding billing to, and assumption of responsibility by any person, charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest, and court costs, if any.

(B) The owner of the real estate or person billed shall have the right to examine the utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.

(C) Nothing herein contained shall permit any person other than the owner, or the person being billed, to inspect, examine or otherwise obtain confidential information including the payment/credit history, income, employment, finances or social security number of the person being billed.

('74 Code, § 24-41) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.092 FIRST BILLINGS.

The rates, charges and surcharges fixed in this chapter shall extend to and cover any additional premises hereafter served, without hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the charges for sewerage service for such billing shall be made in accordance with standard practice employed by the city's water utility.

('74 Code, § 24-42) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.093 CITY SUBJECT TO CHARGES.

For sewerage services rendered to the city, or any department, structure, or property, thereof, the city shall be subject to the same rates and charges herein established for other persons, or to rates and charges established in harmony herewith.

('74 Code, § 24-43) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.094 CONSOLIDATION OF ACCOUNTS.

Where an industrial, commercial or other non-residential enterprise is operating in a unified manufacturing or service arena composed of two or more contiguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings may be made for the purpose of calculating the sewerage service charge.

('74 Code, § 24-44) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.095 NOTICE OF CAPITAL SURCHARGE.

The City Clerk shall certify a copy of Special Ordinance No. 2-233-81, enacted October 28, 1981, and all amendments thereto, heretofore or hereafter adopted, and shall record such certified copy in the Office of the Recorder of Allen County, Indiana to provide constructive notice to the owners and purchasers of real property in Adams Township and St. Joseph Township that a capital surcharge may be imposed upon properties connected to, or to be connected to, the city utility sewerage system, in those areas of said townships formerly served by sewerage system purchased or otherwise acquired by the city utility.

('74 Code, § 24-45) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.096 DELINQUENT ACCOUNTS; PENALTIES.

Charges for sewerage service levied pursuant to this chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage and/or stormwater service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this chapter and with IC 36-9-23-31 through 36-9-23-34. A penalty of 10% of the amount of the charges for sewerage service and/or stormwater service shall be attached to the delinquent charges.

('74 Code, § 24-46) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.097 TERMINATION OF WATER SERVICE DUE TO DELINQUENCY.

Where the property having a delinquent account for charges for sewerage service is served by the city's water utility, the utility may, after reasonable notice to the person being billed, as provided by the rules and regulations of the utility adopted by the Board of Public Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with any required deposit and the costs of turning off/turning on the water, shall have been paid.

('74 Code, § 24-47) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.098 TERMINATION OF SEWER SERVICE DUE TO DELINQUENCY.

In addition to all other remedies provided, the utility may, after reasonable notice to the person being billed, as provided by the rules and regulations of the utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting service, shall have been paid.

('74 Code, § 24-48) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.099 DELINQUENT FEES AND PENALTIES AS LIENS; DUPLICATES; COLLECTION.

Delinquent charges for sewerage services and/or stormwater services, and applied penalties, recording fees and service charges may be made a lien upon the property when the delinquent party is the property owner and may be collected in accordance with the provisions of IC 36-9-23-31, 36-9-23-32 and 36-9-23-33.

('74 Code, § 24-49) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

§ 51.100 COLLECTION THROUGH COURT ACTIONS.

In addition to the foregoing remedies, the city may recover the amount of the charges for sewerage services, penalties of 10% of the delinquent fees and reasonable attorney's fees in a civil action, and may foreclose liens established by this chapter in accordance with IC 36-9-23-34.

('74 Code, § 24-50) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

ADMINISTRATION AND ENFORCEMENT

§ 51.110 RULES AND REGULATIONS; BOARD OF WORKS AUTHORITY.

The Board of Public Works of the city shall, in accordance with the statutes of the state, and subject to the provisions and requirements of this chapter, make and enforce appropriate rules and regulations for the safe, economical and efficient management and operation of the city's sewage works, for the construction and use of sewers, building sewers, appurtenances and connections to the sewerage system; for the regulation, collection and refunding of rates and charges for sewerage service; and for the implementation and enforcement of the provisions of this chapter.

('74 Code, §24-2) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.111 ENFORCEMENT.

Those provisions of this chapter not specifically dealt with elsewhere shall be enforced by the Director of City Utilities and such deputies as Director, with the approval of the Board of Public Works, may be appointed for such purposes. Whenever said Director or any such deputy shall deem it appropriate to charge any person with a violation(s) of this chapter, he shall issue to such person a Notice of Violation and/or Summons, which shall be processed according to the provisions of IC 34-28-5 and sewer rules and regulations, or pursuant to an ordinance adopted in accordance with IC 36-1-6-9.

The remedies provided for in this ordinance are not exclusive. The City may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the City may take other action against any User when the circumstances warrant. Further the City is empowered to take more than one enforcement action against any noncompliant User.

When the Superintendent finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Superintendent may petition the Allen County Superior Court, Misdemeanor and Traffic Division, through the City's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the User. The Superintendent may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

('74 Code, § 24-6) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

§ 51.112 SEWERAGE WORKS IMPROVEMENT FUND.

The City Controller shall establish and maintain, for as long as user charges and surcharges are collected under the rate schedule instituted herein, accounts for the Sewerage Works Improvement Fund as required by prior ordinances relating to the issuance

of sewerage works revenue bonds now outstanding and further in accordance with the laws of the State of Indiana relative to the deposit and disbursement of public funds.

('74 Code, § 24-52) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.999 PENALTY FOR VIOLATION.

Any person who violates or fails to comply with any provision of this chapter or of the rules and regulations of the Board of Public Works or administrative orders pertaining thereto, shall be subject to a fine of up to $2,500 per day as set out at § 10.99 of the City of Fort Wayne Code of Ordinances or as otherwise provided by IC 34-28-5. Each day that such violation(s) or noncompliance continues shall constitute a separate offense.

A User who has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the City for a minimum civil penalty of $1,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

The Superintendent may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

Upset

A. For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

B. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (C), below, are met.

C. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and the User can identify the cause(s) of the upset;

(2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and

(3) The User has submitted the following information to the Superintendent within twenty-four (24) hours of becoming aware of the upset if this information is provided orally, a written submission must be provided within five (5) days:

(a) A description of the indirect discharge and cause of noncompliance;

(b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and

(c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

D. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.

E. Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical Pretreatment Standards.

F. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

('74 Code, § 24-7) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

SECTION 2. That this Ordinance is in full force and effect from and after its passage and any and all necessary approval by the Mayor.

_____

Council Member

APPROVED AS TO FORM AND LEGALITY

_____

Carol Helton, City Attorney

CHAPTER 51: SEWERS

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Editor's note: *Ord. G-17-91 and amending Ord. G-25-91 and Ord. G-35-92 made substantive changes to the sections of this chapter where they are recorded in the section history. These ordinances are not included in the section history where the section was only renumbered using the enumeration of the 1974 Code, which is obsolete in this edition of the code of ordinances.*

(1) ***COMBINED.*** A building sewer which conveys both sewage and storm water or other drainage.

(2) ***SANITARY.*** A building sewer which conveys sewage only.

(3) ***STORM.*** A building sewer which conveys storm water or other drainage, but not sewage.

BUILDING (OR HOUSE) SEWER CONNECTION. The point where the building sewer is connected to the public sewer. This connection to the public sewer may be accomplished as follows:

(1) Where a tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the sewage system and the tapping "saddle and/or joint" shall be considered part of the building sewer.

(2) Where fittings (T's or Y's) are employed the connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.

BULK WASTE. Trucked or Hauled Wastewater delivered directly to the Water Pollution Control Plant or Biosolids Handling Facility for disposal pursuant to prior written approval.

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CAPITAL IMPROVEMENT SURCHARGE. The additional charges for sewage service collected from users from any classification of users discharging sewage to the water pollution control utility from a capital improvement surcharge area designated responsible to contribute to the payment of costs associated with installation, adjustment or other improvement to the water pollution control utility intended to serve the capital improvement surcharge area.

CAPITAL IMPROVEMENT SURCHARGE AREA. An area, system or subsystem designated by the Board of Public Works wherein a capital improvement surcharge may be collected.

CATEGORICAL INDUSTRIAL USER. An Industrial User subject to a categorical Pretreatment Standard or categorical standard as defined below.

~~***CATEGORICAL INDUSTRY.*** An industry whose effluent is regulated by 40 CFR 403.6.~~

CATEGORICAL PRETREATMENT STANDARD OR CATEGORICALNATIONAL STANDARD. Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of industrial users which appear in 40 CFR Chapter I, Subchapter N Part 405-471as revised.

CFR. The Code of Federal Regulation. When referenced in this Chapter, CFR shall mean, unless otherwise specified, the version of the Code of Federal Regulations revised as of July 1, 2010.

CHEMICAL OXYGEN DEMAND (COD). A measure of oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in 40 CFR 136.

CITY. The City of Fort Wayne, Indiana.

CLASSIFICATION OF USERS.

(1) ***RESIDENTIAL USERS.*** Includes any user of the city's treatment works whose lot, parcel or real estate or building is used for domestic dwelling purposes only.

(2) ***COMMERCIAL USER.*** Includes all retail stores, restaurants, office buildings, laundries and other private business and service establishments, including those identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget Division I - Services.

(3) ***INDUSTRIAL USER.*** Includes any user of the city's treatment works which is identified in the Standard Industrial Classification manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions; Division A-Agriculture, Forestry and Fishing; Division B-Mining; Division D-Manufacturing; Division E-Transportation, Communications, Electric, Gas and Sanitary. ***INDUSTRIAL USERS*** shall be classified as follows:

(a) ***NON-DISCHARGE USERS.*** Includes all industries which discharge sanitary sewage only, and industrial users whose discharge is limited to non-contact cooling water, or boiler blowdown water.

(b) ***NON-MAJOR INDUSTRIAL USER.*** Includes all industries which discharge process water but do not meet the criteria of ***SIGNIFICANT INDUSTRIAL USERS.***

EMERGENCY. An unforeseen circumstance or combination of circumstances that may cause an eminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control Plant.

EQUIVALENT RESIDENTIAL UNIT (ERU). A unit of measurement representing the average daily sewage flow of a single-family dwelling as established by the Indiana Department of Environmental Management. Land use other than single-family dwellings shall be determined in terms of ERUs by using standards adopted by the Board of Public Works.

FOLLOW-UP SAMPLE. A sample taken of a user's effluent at the city's discretion from a user receiving scheduled sampling, at times other than those regularly scheduled. A follow-up sample shall be done at no cost to the user.

GARBAGE. Any solid wastes from the preparation, cooking or dispensing of food or from the handling, storage or sale of produce.

GRAB SAMPLE. An individual discrete effluent sample collected without regard to the flow in the wastestream and over a period of time not to exceed 15 minutes.

GROUND GARBAGE. Garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half inch in any dimension.

INDIRECT DISCHARGE or DISCHARGE. The introduction of pollutants into the POTW~~sewerage system~~ from any nondomestic source regulated under Section 307(b), (c) or (d) of the Act.

INDUSTRIAL WASTES. Any solid, liquid or gaseous substance or form of energy discharged, permitted to flow or escape, or transported from an industrial, manufacturing, commercial or business operation or process or from the development, recovery or processing of any natural resource carried on by any person.

INFLUENT. The water, together with any wastes that may be present, flowing into a drain, sewer, receptacle or outlet.

INSTANTANEOUS LIMIT. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

INTERFERENCE "Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources, does one (1) of the following:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, its sludge processes, or its selected sludge use or disposal methods.
(2) Causes a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.
(3) Prevents the use of the POTW's sewage sludge or its sludge disposal method selected in compliance with the following statutory provisions, regulations, or permits issued thereunder or more stringent state or local regulations:
(A) Section 405 of the Clean Water Act (33 U.S.C. 1345).
(B) The Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901), including:
(i) Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA); and
(ii) the rules contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA (42 U.S.C. 6941).
(C) The Clean Air Act (42 U.S.C. 7401).
(D) The Toxic Substances Control Act (15 U.S.C. 2601).

LOCAL LIMIT. Specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5

New Source.

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

(a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
(b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
(c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

PRETEATMENT STANDARDS OR STANDARDS. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, State, and Local Limits.

PROHIBITED DISCHARGE STANDARDS OR PROHIBITED DISCHARGES. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 51.033 of this ordinance.

PUBLICLY OWNED TREATMENT WORKS OR POTW. A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.

RANDOM SAMPLE. A sample taken at no charge to the user, at the city's discretion of effluent produced by any user.

RECEIVING STREAM. The watercourse, stream or body of water receiving the waters finally discharged from the sewage treatment plant.

REPLACEMENT COSTS. That cost, stated in current monetary values, as an operating cost which represents and measures the expenditures required to replace equipment, accessories or appurtenances of the property in order to maintain capacity and performance during the useful life of the property of the Water Pollution Control Utility.

REPLACEMENT FUND. A fund maintained to provide resources to pay for replacement expenditures annually as required to maintain the capacity and performance of the property of the sewage works.

SANITARY SEWAGE. Sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, lodging or boarding houses, office buildings, factories or institutions, and free from storm water, surface water, groundwater and industrial wastes.

SCHEDULED SAMPLE. Routine sampling of a user's effluent, usually twice a year for a commercial user and quarterly for industrial users.

SERVICE CHARGE. A charge levied on a user of the treatment works which includes the user charge, a charge for local capital costs, and may include other charges for current services.

SEWAGE. The water-carried wastes from residences, business buildings, institutions and industrial establishments, singularly or in any combination, together with such ground, surface and storm waters as may be present.

SEWAGE TREATMENT PLANT or ***WATER POLLUTION CONTROL PLANT (WPC PLANT).*** The arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge.

SEWAGE WORKS or ***WATER POLLUTION CONTROL UTILITY.*** All facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewage treatment plant and the sanitary, storm and combination sewer collection systems whether or not in active use.

SEWER. A pipe or conduit for carrying sewage and other waste liquids as differentiated below:

(1) ***COMBINED OR COMBINATION SEWER.*** A sewer which carries storm, surface and groundwater runoff as well as sewage.

(2) ***PUBLIC SEWER.*** A sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the city or other public authority.

(3) ***SANITARY SEWER.*** A sewer which carries domestic and unpolluted industrial sanitary sewage and to which storm, surface, groundwaters and unpolluted industrial waste waters are not intentionally admitted.

(4) ***STORM SEWER.*** A sewer which carries storm, surface and groundwater drainage but excludes sanitary sewage.

SEWER ENGINEER. The Chief Sewer Engineer of the city or his duly authorized representative; the term is synonymous with the term "Water Pollution Control Engineer."

SEWERAGE SYSTEM. The network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Sewage Treatment Plant.

SHALL. Means mandatory; "may" means permissible.

SLUGLOAD *or Slug Discharge as it pertains to Industrial Pretreatment*. Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge ~~limits~~ standards ~~set~~ in this ordinance. A Slug Discharge is any Discharge of a non-routine,

§ 51.002 DAMAGE TO CITY PROPERTY PROHIBITED.

It shall be unlawful for any unauthorized person to maliciously, willfully or negligently break, damage, destroy, remove, deface or tamper with any structure, appurtenance or equipment which is part of the city sewage system, the city's Water Pollution Control Plant or property of others assigned to the city for operation and maintenance and shall be liable for damage.

('74 Code, § 24-8) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

§ 51.003 DILUTION.

It shall be unlawful for any person to increase the use of potable water or process water in any way, or mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with pretreatment standards or requirements. The city may impose ~~discharge~~ mass limitations on any persons using dilution to meet applicable pretreatment standards or discharge permit requirements. The city may also impose mass~~discharge~~ limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other circumstances deemed appropriate by the Board of Public Works.

('74 Code, § 24-9) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

§ 51.004 ACCIDENTAL DISCHARGES.

(A) Each person shall provide protection from accidental discharge of prohibited or regulated materials or substances to sewers of the city. Where necessary, procedures and facilities to prevent the accidental discharge of prohibited materials shall be provided and maintained at said discharger's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review, and be approved by the city before construction of the facility. Review and approval of plans and operating procedures by the city shall not relieve the discharger from the responsibility to modify its facility as necessary to meet applicable federal, state and local requirements.

(B) All responsible persons shall notify the Superintendent of the Water Pollution Control Plant, or his representative, within 2 hours~~immediately~~ when a "slug load" or accidental discharge occurs. A written report shall be submitted within five days of the incident. The notification must include the location of the discharge, date and time of occurrence, type of waste, concentration and volume and corrective actions taken. Any person who discharges a "slug load" of prohibited materials will be liable for any expense, including loss or damage to the city's sewerage system and treatment facilities in addition to the amount of any fines imposed upon the city under state or federal law.

(C) Signs must be permanently posted in conspicuous places on the dischargers' premises, advising employees whom to call in the event of an accidental discharge. Employers shall adequately instruct all employees who may cause or discover such discharges of the emergency notification procedures.

(D) All Users that are subject to annual inspection will have a documented review of the above required facilities and or plans for adequacy as a part of the annual inspection process.

('74 Code, § 24-10) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94)

CONNECTIONS AND EXTENSIONS

§ 51.015 REQUIREMENTS FOR CONNECTION TO PUBLIC SEWERS.

City Utilities shall have the authority to require an owner of real property to disconnect any downspouts, yard drains or other drains which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer, or in areas served by combined sewers where City Utilities determines the additional load placed on the system has been found to be detrimental to properties in that area. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.

('74 Code, § 24-3) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97) Penalty, see § 51.999

§ 51.016 EXTENSIONS OF SEWERS OUTSIDE CORPORATE LIMITS.

The installation, construction, or extension of sanitary sewers by private developers or by the city outside the corporate limits of the city and the con-nection of said sanitary sewers into the city's sewage system from, by, to, or for properties located outside such limits is

(2) A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;

(3) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards; *[Note: Required Streamlining Rule Change]*

(4) Self monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

(5) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

(6) Requirements to control Slug Discharge, if determined by the Superintendent to be necessary.*[Note: Required Streamlining Rule Change]*

Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:

(1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

(3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

(4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

(5) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

(6) A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and

(7) Other conditions as deemed appropriate by the Superintendent to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Superintendent. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

('74 Code, § 24-11) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

§ 51.031 PRETREATMENT FACILITIES; APPROVAL OF PROPOSED PLANS, OPERATION.

(A) General. Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in this ordinance within the time limitations specified by EPA, the State of Indiana, or the City, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the users' expense.~~When, after making such a review, the Superintendent concludes that, before the person discharges waste into the public sewers, the person must modify or eliminate those constituents which would be harmful to the structures, processes, or operations of any portion of the sewage works or injurious to the health of the general public, then that person shall either modify the wastes at the point of origin or shall provide and operate, at said person's expense, such treatment and processing facilities as may be deemed necessary to render said person's waste acceptable for admission to the public sewers. ('74 Code, § 24-12)~~

(B) Prior approval Detailed plans describing such facilities and operating procedures shall be submitted to the City for review, and shall be acceptable to the City before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve

§ 51.032 FEDERAL PRETREATMENT STANDARDS.

(A) As part of this chapter the city shall enforce all federal pretreatment standards including but not limited to categorical pretreatment standards upon persons within its service area or within the service area of any contract customers.

(B) Categorical industrial users must comply with all applicable National Categorical Pretreatment Standards found in 40 CFR Chapter 1, Subchapter N, Parts 405-471 latest edition. These standards are hereby incorporated into this chapter.

(1) Where a categorical Pretreatment Standard is expressed only in terms of either the mass or concentration of a pollutant in wastewater, the City may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6

(2) When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the City may convert the limits to equivalent limitations expressed as either mass of pollutant discharged per day or effluent concentration for purposes of calculating limitations applicable to individual Industrial Users in accordance with 40 CFR 403.6.

(3) When wastewater subject to categorical Pretreatment Standards is mixed with wastewater not regulated by the same Standard, the City shall impose an alternate limit in accordance with 40 CFR 403.6

C) Baseline Monitoring Reports

Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Superintendent a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Superintendent a report which contains the information listed in paragraph B, below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(1). Users described above shall submit the information set forth below.

(a)Identifying Information.

1. The name and address of the facility, including the name of the operator and owner.
2. Contact information, description of activities, facilities, and plant production processes on the premises;

(b) Environmental Permits. A list of any environmental control permits held by or for the facility.

(c) Description of Operations.

A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.

(d).Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;

(e) Number and type of employees, hours of operation, and proposed or actual hours of operation;

(f) Type and amount of raw materials processed (average and maximum per day);

(g) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

(h) Time and duration of discharges;

(I)The location for monitoring all wastes covered by the permit;

(j) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(k) Measurement of Pollutants.

(l) The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.

(m) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Superintendent, of regulated pollutants in the discharge from each regulated process.

(1) Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.

(2) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in 40 CFR 136. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Superintendent or the applicable Standards to determine compliance with the Standard.

2. The Superintendent may issue an individual wastewater discharge permit this ordinance or modify an existing wastewater discharge permit in response to changed conditions or anticipated changed conditions.

H Reports from Unpermitted Users

All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the Superintendent as the Superintendent may require.

I Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the Superintendent within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Superintendent within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the City performs sampling at the User's facility at least once a month, or if the City performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the City receives the results of this sampling, or if the City has performed the sampling and analysis in lieu of the Industrial User.

[Note: *Required Streamlining Rule Change* If the City performed the sampling and analysis in lieu of the Industrial User, the City will perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat sampling and analysis. See 40 CFR 403.12(g) (2).]

J Notification of the Discharge of Hazardous Waste

1. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 6.5 of this ordinance. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 6.1, 6.3, and 6.4 of this ordinance.

2. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

3. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify [the Superintendent], the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

4. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

5. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

K Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Superintendent or other parties approved by EPA.

L Certification Statements

The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with this ordinance; Users submitting baseline monitoring reports [Note: See 40 CFR 403.12 (l)]; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines ; and Users submitting periodic compliance reports. The following certification statement must be signed by an Authorized Representative as defined in Section 51.001:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(P) The city reserves the right to refuse, deny or revoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the sewage works or in the event the user is or has been in repeated violation of this chapter. The city further reserves the right in the event of any emergency, to restrict the allowable discharge received from any or all large users of the sewerage system during the time of such emergency.

(Q) Pollutants which create a fire or explosion hazard in the city's treatment works or sewage system, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140° Fahrenheit, or 60° centigrade using test methods specified in 40 CFR 261.21.

('74 Code, § 24-16) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92); Am. Ord. G-17-94, passed 8-23-94; Am. Ord. (Ord. G-07-97, passed 7-9-97) Penalty, see § 51.999

§ 51.034 RESPONSIBILITY FOR OBSTRUCTION OR DAMAGE TO SEWERS.

If a public sewer becomes obstructed or damaged because any of the aforementioned substances were improperly discharged, the person or persons responsible for such discharges shall reimburse the city for the expenses incurred by the city for cleaning out, repairing, rebuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs. For multiple offenders, each responsible person shall be assessed a proportionate percentage of the damage.

('74 Code, § 24-17) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94)

§ 51.035 SUBMISSION OF DATA ON INDUSTRIAL WASTE.

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established pursuant to this ordinance. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates the analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the City.

~~(A) The following conditions are required for all SIU permits, and also may be incorporated into other permits at the discretion of the Superintendent:~~

~~(1) A statement of duration;~~

~~(2) A statement of non-transferability;~~

~~(3) Applicable federal, state and local effluent limits;~~

~~(4) Self-monitoring, sampling, reporting, notification, and recordkeeping requirements; and~~

~~(5) A statement of applicable civil and criminal penalties, pursuant to 40 CFR 403.8(f) (1) (iii).~~

~~(B)~~(A) Any person who discharges industrial waste into the city's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an industrial waste questionnaire, baseline monitoring report or permit application, the form for which will be furnished by the city, in which shall be set forth the quantity and characteristics of the wastes discharged into the city's sewerage system. Any owner desiring to establish a new connection to the public sewer or to establish a new account with sewage works for the purpose of discharging industrial or commercial waste shall 90 days prior to discharge first fill out and file with the Superintendent such a questionnaire, baseline monitoring report or permit application, which shall contain the actual or predicted data relating to the quantity and characteristics of the wastes to be discharged. The Superintendent will evaluate the data furnished by the User and may require additional information. the Superintendent will determine whether to issue an individual wastewater discharge permit. The Superintendent may deny any application for an individual wastewater discharge permit.

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Superintendent to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

~~After review of the submitted documents and permit application, the Superintendent shall issue an industrial wastewater discharge permit which shall contain conditions and requirements with which the person shall comply.~~ All rules and regulations of the sewer utility must also be followed by a permitted user.

§ 51.039 INSPECTIONS; WASTE SAMPLING.

(A) Any ~~person shall~~User may be subject to periodic and random inspections by the city for the purpose of determining compliance with permit limitations, solvent management plans or spill prevention plans, identifying dilution streams or to categorize regulated processes. These inspections may consist of monitoring waste streams, inspection of the premises, inspection and/or copying of production records, pretreatment operating records and other records or data deemed necessary by the inspector for the purposes stated above.

The Superintendent shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.

The Superintendent may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least once per year to ensure their accuracy.

(B) All wastewater samples must be representative of the User's discharge. Control Manholes and or flow measurement installations shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep such facilities in good working order shall not be grounds for the User to claim that sample and or flow results are unrepresentative if its discharge. The installation, operation and maintenance of the sampling facilities shall be the responsibility of the person discharging the wastes and shall be subject to the approval of the Superintendent. Access to the sampling facilities shall be granted, at all times, to the Superintendent.

(C) Where any person's operations have security measures in force which require proper identification and clearance before entry onto said person's property is granted, such person shall make the necessary arrangements with their security personnel that upon showing of proper identification personnel from the city shall be permitted to enter, without delay, for the purpose of observing or monitoring of wastes being discharged at a given point or points or that person shall install suitable control manholes outside of the security area or areas, which at all times will be immediately available to city personnel.

Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Superintendent and shall not be replaced. The costs of clearing such access shall be born by the User.

Unreasonable delays in allowing the Superintendent access to the User's premises shall be a violation of this ordinance.

('74 Code, § 24-22) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94) Penalty, see § 51.999

(5) ***DEPARTMENT.*** The Fort Wayne-Allen County Department of Public Health, Fort Wayne, Allen County, Indiana, and/or its employees.

(6) ***ENVIRONMENTAL HEALTH SPECIALIST.*** An individual as defined in IC 25-32-1-2(b).

(7) ***HEALTH COMMISSIONER.*** The Director of Public Health for the Fort Wayne-Allen County Department of Public Health for Fort Wayne, Allen County, Indiana, (designated as "Health Officer" in the state rules and regulations) and/or his/her authorized representative.

(8) ***INSTALLER.*** Any person who constructs, installs, replaces, alters, modifies or repairs any residential or commercial sewage disposal system subject to the provisions of this chapter, other than one which serves his/her/its building. In the event that the person is any association of two or more people, then said association shall designate one individual who shall be designated as the installer and responsible for compliance with all provisions hereunder.

(9) ***PERMIT.*** A certificate of a size and style approved by the Health Commissioner.

(10) ***PERMITTEE.*** The person who is the owner of the real estate, his/her/its authorized representative, who is responsible for the application of a construction permit and/or operating permit and who shall be responsible for the acceptance of notices at the address listed on the permit applications.

(11) ***PUBLIC SEWER.*** A sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the city or other public authority.

(12) ***RESIDENTIAL.*** A building used as a one or two-family dwelling.

(13) ***SEWAGE.*** The water-carried wastes from residences, business buildings, institutions and industrial establishments, singularly or in any combination, together with such ground, surface and storm waters as may be present.

(14) ***SOILS SCIENTIST.*** An individual who is a Specialist or Classifier, registered with the American Registry or Certified Professionals in Agronomy, Crops and Soils (ARCPACS).

(Ord. G-07-97, passed 7-9-97)

§ 51.051 SEWAGE DISPOSAL.

(A) *State rules.* All rules and regulations of 410 IAC 6-8.1, 410 IAC 6-10, Bulletin SE-11 (1986) and Bulletin SE-13 (1988), as amended from time to time, from the Indiana State Department of Health are hereby incorporated by reference.

(B) *Public sewer available.* Whenever a public sewer is or becomes available within 300 feet of a residential or commercial lot line, a direct connection shall be made to said public sewer, provided direct access is reasonably available via easement or other appropriate means. All existing septic tanks, sewage pits, outhouses, privy pits and similar sewage disposal systems or treatments facilities shall be abandoned and filled in a safe an sanitary manner. Permittee shall have ninety (90) days from the date that the public sewer becomes available to make a direct connection to the public sewer and to abandon and fill in the existing sewage disposal system.

(C) *Public sewer not available.* All residential and commercial buildings which are not connected to a public sewer shall be connected to a private sewage disposal system which shall comply with the standards set forth herein.

(D) *Construction of privy.* Sanitary vault privies constructed and maintained pursuant to Bulletin SE-11 (1986) shall be approved by the Health Commissioner.

(E) *Correction of defects.* Should any defect exist or occur in any private sewage disposal system or privy which would cause the sewage disposal system or privy to fail to meet the requirements of this Chapter, then the defect shall be corrected by the owner/permittee pursuant to the time table established by the Health Commissioner. Failure to correct the defect within the time table established by the Health Commissioner shall be considered a violation of this chapter and shall subject the owner/permittee to the sanctions set forth in § 51.059 subject, however, to the hearing provisions of § 51.058.

(F) *Adaptation of residential systems.* Whenever there is any alteration of the structure or change in the use or occupancy of a residential building that would affect the functioning of the existing private sewage disposal system, including the addition of bathrooms, kitchens or other related water disposal mechanisms, then the system shall be modified, enlarged or replaced in accordance with the requirements of this chapter.

(G) *Adaptation of commercial system.* Whenever there is any alteration of the structure or significant change in the use or occupancy of a commercial building which would affect the functioning of the existing private sewage disposal system, including the addition of bathrooms, kitchens or other related water disposal mechanisms, then the system shall be modified, enlarged or replaced in accordance with the requirements of this chapter.

(Ord. G-07-97, passed 7-9-97)

(B) *Permit to be posted.* No person shall perform any work on a private sewage disposal system project unless a valid construction permit is first obtained and is properly posted in a conspicuous place at or near the building where the private sewage disposal system is to be constructed. The permit shall be plainly visible from the public thoroughfare serving the building until the project is completed.

(C) *Application for permit.* The application for such permit shall be submitted to the Health Commissioner on a form provided by the Health Commissioner and shall be supplemented by any plans, specification and other information deemed necessary by the Health Commissioner or as required by 410 IAC 6-8.1-48.

(D) *Permit fees.* Prior to the issuance of any permit, each owner/permittee shall first tender to the Treasurer of Allen County, Indiana, a fee or fees, which shall be deposited into the City-County Health Fund, for each system being constructed, modified, altered or repaired in accordance with the following schedule.

(1) New construction - $75.00.

(2) Alteration, modification or repair of existing system - $50.00.

(3) Revision of existing permit prior to construction - $20.00.

(E) *Term and renewal.* A construction permit shall be valid for one (1) year from the date of issuance, and may be renewed for up to an additional six (6) months upon application. If the permit is renewed, the permittee shall comply with any changes in the rules, standards or requirements which may have come into effect subsequent to the original date of issuance. The construction permit is not transferable.

(Ord. G-07-97, passed 7-9-97)

§ 51.054 INSTALLERS REGISTRATION.

(A) *Registration requirements.* Except for a person working on his/her/its own private sewage disposal system which serves the dwelling in which he/she/it resides, no person shall construct, install, replace, alter, modify or repair any private sewage disposal system unless that person has first registered with the Department as an installer. Persons required to be registered shall be given a grace period of up to six (6) months after the effective date of this chapter in which to register with the Department. Application for registration shall be on forms provided by the Department.

(B) *Conditions for registration.*

(1) Every person required to register under this section shall be knowledgeable of all laws, rules and regulations of both the state and county governing private sewage disposal systems. Prior to registration, the applicant must demonstrate knowledge of the applicable laws, rules and regulation by passing a proficiency exam conducted by the Department with a score of eighty percent (80%) or higher. The registration exam shall be reviewed from time to time to determine its applicability to current laws, rules and regulations. Where taking a written exam is not feasible, due to language or reading difficulties, arrangements will be made to allow for an oral examination to assure proficiency. Opportunity for reexamination shall be afforded to an applicant upon request but no more frequently than once per month.

(C) Seminar. At the request of the Health Commissioner, but not more than once per year, a person registered under this section shall attend a seminar on sewage disposal conducted by the Department of the Indiana State Department of Health.

(D) *Expiration.* Registrations under this section shall expire annually on December 31. Each installer shall be required to re-register annually on or before January 15 of each succeeding year.

(E) *Annual fee.* For a period of six (6) months after the effective date of this chapter, registration under this section shall be without fee. After that date, an annual registration fee of $40.00 will be charged which shall be paid not later than January 31 of each year.

(F) *Notice of violation.* Whenever the Health Commissioner determines that there has been a violation of any provision of this chapter or the applicable rules and regulations of the Indiana State Department of Health by an installer, the Health Commissioner shall give written notice, in person or by certified mail, of the alleged violation to the installer. Such notice shall include the following:

(1) A statement of the alleged violation.

(2) An order allowing a reasonable time for the performance of any act required to correct the violation.

(G) *Suspension or revocation.* If the violation is not corrected within the designated time, the Health Commissioner may suspend or revoke the installer's registration subject to the provisions contained in 51.058 (B), (C) or (D).

(1) If the registration is suspended, the installer may be reinstated by the Health Commissioner upon correction of all violations.

(2) If the registration is revoked, the Health Commissioner shall require, at a minimum, that the installer: 1) be retested; 2) pay the registration fee; and, 3) correct all outstanding violation to the satisfaction of the Health Commissioner prior to being re-registered.

§ 51.058 DENIAL; SUSPENSION; REVOCATION.

(A) *Denial and approval of permit.*

(1) In the event the Health Commissioner determines that the application for the Construction Permit and/or Operating Permit does not meet the standards set forth in this chapter, then the Health Commissioner shall be required to notify the Permittee of such denial in writing, within thirty (30) days of the original application, stating the specific reasons for the denial of the permit.

(2) Failure of the Health Commissioner to issue a written denial of a permit and/or to issue specific written directions regarding corrective actions that need to be taken to obtain the permit within thirty (30) days from the date of application of the Construction Permit shall be construed as an approval of the Construction Permit. In the event the Health Commissioner issues written directives regarding corrective actions, then the permittee and/or his agent shall have a reasonable amount of time to address the items set forth in the directives in order to be able to obtain the Construction Permit.

(3) Failure of the Health Commissioner to issue a written denial of an Operating Permit and/or to issue specific written directions regarding corrective actions that need to be taken to obtain the permit within ten (10) days from the date of application of the Operating Permit shall be construed as an approval of the Operating Permit. In the event the Health Commissioner issues written directives regarding corrective actions, then the Permittee and/or his agent shall have a reasonable amount of time to address the items set forth in the directives in order to be able to obtain the Operating Permit.

(B) *Suspension of permit/registration.* The Health Commissioner may order the suspension of a Construction Permit or Operation Permit or installer registration. The Health Commissioner may order the suspension of a permit or registration for any of the following reasons:

(1) Failure to meet any of the standards of any of the provisions of this chapter or violations of any of provisions of this chapter.

(2) Interference with the Health Commissioner in the performance of his/her duties. Interference shall be defined as the process of obstructing, hampering or blocking the Health Commissioner in the performance of his/her duties.

(3) At the request of the permittee or installer, a hearing shall be afforded him/her/it within twenty-four (24) hours of the issuance of the written suspension order. Said hearing shall be conducted as set forth in 51.058(E).

(C) *Revocation of permit/registration.* Any permit and/or registration issued hereunder may be revoked by the Health Commissioner as the result of the willful or continued violation of any provision of this chapter. No such revocation shall be ordered by the Health Commissioner except after a hearing held pursuant to § 51.058(E) upon at least ten (10) days written notice to the owner/permittee/installer of the time, place and nature of said hearing. Said notice of hearing shall be served upon the owner/permittee/installer by leaving, or mailing (certified mail) the notice to the address listed by the owner/permittee/installer at his/her/its address on the permit, application or installer registration application.

(D) *Immediate revocation.* Notwithstanding any of the other provisions of this chapter, whenever the Health Commissioner finds unsanitary or other conditions, which, in his/her opinion constitute an imminent health hazard, he/she may, without notice or hearing, issue and serve a written order on the owner/permittee/installer requiring the immediate cessation of operation/installation. Said written order shall site the existence of the imminent health hazard and shall specify the corrective action to be taken. Such order shall be effective immediately. Upon petition to the Health Commissioner, the permittee/installer shall be afforded a hearing within twenty-four (24) hours of the issuance of the written order. Said hearing shall be conducted as set forth in 51.058(E).

(E) *Hearing.* At any hearing required under this chapter, every owner/permittee/installer who is a party to such proceeding shall have the right to submit evidence, to cross examine witnesses and to be represented by counsel. All such hearings shall be conducted in an informal manner, but irrelevant, immaterial or unduly repetitious material shall be excluded. Upon the conclusion of the hearing, the Health Commissioner shall issue a final order determining the issue(s) which shall be conclusive on all parties subject to the right of appeal.

(F) *Appeal.*

(1) Any owner/permittee/installer aggrieved by an final order of the Health Commissioner shall be entitled to a review of the final order before the Board by filing a written request with the Secretary for the Board within fifteen (15) days of the Health Commissioner's final order.

(2) Upon the Secretary's receipt of such request, the Board shall hear the matter de novo in open hearing upon at least ten (10) days written notice of the time, place and nature thereof. The notice shall be issued by the Secretary for the Board to owner/ permittee/installer filing the request.

(3) The notice shall be served upon the owner/permittee/installer by leaving or mailing (certified mail) the notice to the address listed on the application as his/her/its address or such other address he/she/it shall designate in writing.

(4) At such hearing, the same rules of procedure shall apply as in the case of the hearing before the Health Commissioner. Upon written demand by the owner/permittee/installer, the Board shall cause the proceedings before it to be recorded by a stenographer or reporter employed for such purpose, and the same, together with all papers and documents filed therein, shall be reproduced by said Commissioners of Allen County, Indiana in the form of a transcript, a copy of which shall be available to any party.

§ 51.067 EXEMPT WATER - GENERAL.

Where a significant portion of the metered water does not and cannot enter the sewerage system, either directly or indirectly, the person having charge of the property may request permission from the city to install at the user's expense either an approved meter or meters to determine the quantity of water that cannot enter the sewerage system or an approved sewage-measuring device or devices to determine the volume of sewage that actually enters the sewerage system. In any case the service charge shall be based on the quantity of water that can or actually does enter the public sewers but in no case shall it be less than the minimum charge for the class of user served. Plans and specifications for all such meters shall be submitted to the Superintendent of the Water Pollution Control Plant and approved prior to installation.

('74 Code, § 24-27) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

§ 51.068 METERING OF SEWAGE.

The city may require a person to install and maintain at the user's expense an approved device to measure directly the volumes of wastes discharged to the sewerage system if those volumes cannot otherwise be determined from the metered-water consumption records. The city shall inspect and approve such installation and no such services, once installed, shall be removed without the city's approval.

('74 Code, § 24-28) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.068.5. DEPOSIT TO ENSURE PAYMENT OF SEWER FEES; REFUNDS; FORFEITURES; USES.

(A) Pursuant to IC 36-9-23-28, City Utilities may require the owner, lessee, or user of property served by the Utility to pay a deposit to ensure payment of sewer fees.

(B) The deposit required shall equal the estimated average payment due from the property served by the Utility for a three month period. Deposits shall be retained in a separate fund.

(C) The deposit, less any outstanding penalties and service fees, shall be refunded to the depositor after a notarized statement from the depositor that as of a certain date the property being served:

(1) Has been conveyed or transferred to another person; or

(2) No longer uses or is connected with any part of the municipal sewage system.

A statement under division (C)(1) must include the name and address of the person to whom the property is conveyed or transferred.

(D) If a depositor fails to satisfy costs and fees within 60 days after the termination of his use or ownership of the property served, the deposit and all accrued interest is forfeited. The forfeited amount shall be applied to the depositor's outstanding fees. Any excess that remains due after application of the forfeiture may be collected in the manner set out in §§ 51.099 and 51.100 herein. A deposit may be used to satisfy all or part of any judgment awarded the municipality under this chapter.

(E) A deposit made under this section that has remained unclaimed by the depositor for more than seven years after the termination of the services for which the deposit was made becomes the property of City Utilities.

(Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

§ 51.069 RESIDENTIAL USER CHARGES.

(A) *In-city service and billing charges.*

(1) *Service charge.* Charges for services rendered to residents within the corporate boundaries of the City of Fort Wayne shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

	Per 100 cubic feet
Treatment	$1.3970
Conveyance and Collection	$1.4751
Total User Charge	$2.8721

(B) *Flat user charge.* In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the city. A 25% surcharge shall apply to the rate charged to such users located outside the city.

(C) *Other industrial user charges.*

(1) *Billing charge.* Monthly billing charge - per bill:

(a) Inside city: $4.08.

(b) Outside city: $5.10.

(2) *Excess strength of waste.* In the event any user in this classification contributes waste having strength of sewage in excess of domestic waste characteristics, as herein defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

	Dollars Per Pound
Suspended Solids - (SS)	$0.0968
Biochemical Oxygen Demand - (BOD)	$0.1235
Phosphorus - (P)	$1.4575
Ammonia - (NH-3)	$0.3748

(3) *Food service establishments.* Food service establishments as defined in § 51.001 and industrial users that are engaged in or have on-site contractors that are engaged in the preparation, processing or serving of cooked food, cooked food products and beverages as well as any other types of food manufacturing or food preparation enterprises such as, but not limited to, commissaries, commercial kitchens and caterers shall pay an extra-strength surcharge of $0.9248 per 100 cubic feet of sewage.

('74 Code, § 24-32) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-27-00, passed 10-24-00; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

§ 51.071 COMMERCIAL USER CHARGES.

(A) *Service charge.* Charges for services rendered shall be based on metered water consumption, unless otherwise measured, in accordance with the following charges for this classification of service:

Per 100 cubic feet

	Inside City	Outside City
Treatment	$1.3970	$1.7463
Conveyance and Collection	$1.4751	$1.8439
Total User Charge	$2.8721	$3.5902

(B) *Flat user charge.* In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the city. A 25% surcharge shall apply to the rate charged to users located outside the city.

(C) *Other commercial user charges.*

(1) *Billing charge.* Monthly billing charge - per bill.

(a) Inside city: $4.08.

(b) Outside city: $5.10.

(2) *Excess strength of waste.* In the event any user in this classification contributes waste having a strength of sewage in excess of domestic waste characteristics, as herein defined, such user will be charged for surveillance, as set forth elsewhere herein, and surcharges, as established for industrial users, except as set forth in the following paragraph.

Total User Charge	$2.8712	$3.5902

(B) *Flat user charge.* In the event any user in this classification is not a metered water customer, there shall be imposed a flat charge estimated by the city. A 25% surcharge shall apply to the rate charged to users located outside the city.

(C) *Other governmental user charges.*

(1) *Billing charge.* Monthly billings charge - per bill.

(a) Inside city: $4.08.

(b) Outside city: $5.10.

(2) *Excess strength of waste.* In the event any user in this classification contributes waste having a strength of sewage in excess of domestic waste characteristics, as hereinbefore defined, such user will be charged for surveillance, as set forth elsewhere herein, and surcharges, as established for industrial users.

(3) *Food service establishments.* Food service establishments as defined in § 51.001 and governmental users that are engaged in or have on-site contractors that are engaged in the preparation, processing or serving of cooked food, cooked food products and beverages as well as any other types of food manufacturing or food preparation enterprises such as, but not limited to, commissaries, commercial kitchens and caterers shall pay an extra-strength surcharge of $0.9248 per 100 cubic feet of sewage.

(Ord. G-17-91, passed 6-12-91; ; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-35-92, passed 7-15-92; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-27-00, passed 10-24-00; Am. Ord. G-05-07, passed 2-20-07; Am. Ord. G-12-09, passed 5-26-09)

§ 51.074 WHOLESALE CONTRACT CUSTOMERS - UNIT AND OTHER CHARGES.

In the event the city consummates a contract to serve as a regional treatment plant for any other municipality, private sewage utility or sewer district, either contiguous to the city or in its environs, said contract shall provide for the following unit charges:

(A) *Volume charge.*

(1) *Treatment:* $1.3970 per 100 cubic feet.

(B) *Variable charge (per 100 cubic feet).* A variable charge for conveyance and collection costs attributable to each contract customer's portion of the city conveyance system, and operating costs associated therewith, shall be computed by the city and added to the treatment cost to arrive at the contractee's total metered rate. Variable charges shall be approved by the Board of Public Works.

(C) *Flat charge.* In addition to the foregoing charges based on volume of sewage treated, collected and conveyed, each contract customer shall pay a monthly billing charge of $4.08, and an appropriate monthly surveillance charge, based on the type of testing necessary according to the contractee's customer base, as established in § 51.078 herein.

(D) *Excess strength of waste.* In the event a contract customer user contributes waste having a strength of sewage in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charges will be in effect for all waste found to be in excess of limitations:

	Dollars Per Pound
Suspended Solids - (SS)	$0.0968
Biochemical Oxygen Demand - (BOD)	$0.1235
Phosphorus - (P)	$1.4575
Ammonia - (NH-3)	$0.3748

(E) *Capital charge.* Where a contract calls for the payment of a capital charge (Allen County Institutional Power Plant), such shall be billed to the contract customer.

(F) *Capital surcharge.* In the event a contract customer delivers sewage for treatment to the city for three consecutive billing periods (approximately 90 consecutive days) which is in excess of the base volume limit guaranteed in the contract, then the customer will be subject to a capital surcharge, computed at the capital rate per 100 cubic feet in effect for outside the city customers set out elsewhere

§ 51.077 CAPITAL IMPROVEMENT SURCHARGE.

(A) All classifications of users subject to a capital improvement surcharge shall pay the applicable surcharge in addition to other sewage service charges imposed by this chapter. Capital improvement surcharges shall remain in effect until the cost of the intended installations, adjustments or improvements to the water pollution control utility has been retired and the capital improvement surcharge area has been retired.

(B) The designated capital improvement surcharge areas, the respective amount of the surcharges, and frequency of the surcharges include the following:

Capital Improvement	*Dollars*	*Frequency*
Surcharge Area	Per ERU	
Deer Track Area	$47.95	monthly
(as designated by Board of Works Resolution 92-8-3-05-02)		
Newhaus Sewer Area	$20.00	monthly
(as designated by Board of Works Resolution 90-271-13)		
Rothman East Area	$22.50	monthly
(as designated by Board of Works Resolution 92-4-20-05-03)		
Southtown Center Area	$4.00	monthly
(as designated by Board of Works Resolution 92-5-25-05-02)		
Tiernan Shed B Area	$22.50	monthly
Upper Ely	$20.00	monthly

There are no other capital improvement surcharge areas.

(Ord. G-36-03, passed 10-28-03; Am. Ord. G-30-04, passed 11-23-04; Am. Ord. G-13-05, passed 7-26-05; Am. Ord. G-15-05, passed 8-25-05; Am. Ord. G-14-08, passed 12-9-08; Am. Ord. G-12-09, passed 5-26-09)

§ 51.091 LIABILITY FOR PAYMENT; EXAMINATION OF UTILITY RECORDS.

(A) Charges for sewerage service shall be billed to the person being billed for water service, if any, unless by contract with the utility, another person assumes responsibility for payment. Notwithstanding billing to, and assumption of responsibility by any person, charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest, and court costs, if any.

(B) The owner of the real estate or person billed shall have the right to examine the utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.

(C) Nothing herein contained shall permit any person other than the owner, or the person being billed, to inspect, examine or otherwise obtain confidential information including the payment/credit history, income, employment, finances or social security number of the person being billed.

('74 Code, § 24-41) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.092 FIRST BILLINGS.

The rates, charges and surcharges fixed in this chapter shall extend to and cover any additional premises hereafter served, without hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the charges for sewerage service for such billing shall be made in accordance with standard practice employed by the city's water utility.

('74 Code, § 24-42) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.093 CITY SUBJECT TO CHARGES.

For sewerage services rendered to the city, or any department, structure, or property, thereof, the city shall be subject to the same rates and charges herein established for other persons, or to rates and charges established in harmony herewith.

('74 Code, § 24-43) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.094 CONSOLIDATION OF ACCOUNTS.

Where an industrial, commercial or other non-residential enterprise is operating in a unified manufacturing or service arena composed of two or more contiguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings may be made for the purpose of calculating the sewerage service charge.

('74 Code, § 24-44) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.095 NOTICE OF CAPITAL SURCHARGE.

The City Clerk shall certify a copy of Special Ordinance No. 2-233-81, enacted October 28, 1981, and all amendments thereto, heretofore or hereafter adopted, and shall record such certified copy in the Office of the Recorder of Allen County, Indiana to provide constructive notice to the owners and purchasers of real property in Adams Township and St. Joseph Township that a capital surcharge may be imposed upon properties connected to, or to be connected to, the city utility sewerage system, in those areas of said townships formerly served by sewerage system purchased or otherwise acquired by the city utility.

('74 Code, § 24-45) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.096 DELINQUENT ACCOUNTS; PENALTIES.

Charges for sewerage service levied pursuant to this chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage and/or stormwater service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this chapter and with IC 36-9-23-31 through 36-9-23-34. A penalty of 10% of the amount of the charges for sewerage service and/or stormwater service shall be attached to the delinquent charges.

('74 Code, § 24-46) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

When the Superintendent finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Superintendent may petition the Allen County Superior Court, Misdemeanor and Traffic Division, through the City's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the User. The Superintendent may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

('74 Code, § 24-6) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-91, passed 6-12-91; Am. Ord. G-25-91, passed, 9-10-91; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-07-97, passed 7-9-97; Am. Ord. G-12-09, passed 5-26-09)

§ 51.112 SEWERAGE WORKS IMPROVEMENT FUND.

The City Controller shall establish and maintain, for as long as user charges and surcharges are collected under the rate schedule instituted herein, accounts for the Sewerage Works Improvement Fund as required by prior ordinances relating to the issuance of sewerage works revenue bonds now outstanding and further in accordance with the laws of the State of Indiana relative to the deposit and disbursement of public funds.

('74 Code, § 24-52) (Ord. G-16-86, passed 4-22-86; Am. Ord. G-17-94, passed 8-23-94; Am. Ord. G-12-09, passed 5-26-09)

§ 51.999 PENALTY FOR VIOLATION.

Any person who violates or fails to comply with any provision of this chapter or of the rules and regulations of the Board of Public Works or administrative orders pertaining thereto, shall be subject to a fine of up to $2,500 per day as set out at § 10.99 of the City of Fort Wayne Code of Ordinances or as otherwise provided by IC 34-28-5. Each day that such violation(s) or noncompliance continues shall constitute a separate offense.

A User who has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the City for a minimum civil penalty of $1,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

The Superintendent may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

Upset

A. For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

B. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (C), below, are met.

C. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and the User can identify the cause(s) of the upset;

(2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and

(3) The User has submitted the following information to the Superintendent within twenty-four (24) hours of becoming aware of the upset if this information is provided orally, a written submission must be provided within five (5) days:

(a) A description of the indirect discharge and cause of noncompliance;

(b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and

(c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

D. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.

FORT WAYNE WATER POLLUTION CONTROL UTILITY
(WASTEWATER UTILITY)

FORT WAYNE, INDIANA

GENERAL RULES AND REGULATIONS

AS AMENDED ~~MAY, 2002~~insert date of passage

In accordance with the statutes of the State of Indiana and the Fort Wayne Code of Ordinances, as most recently amended, the Board of Public Works has established the following General Rules and Regulations for the safe, economical and efficient management and proper operation of the City's Water Pollution Control (Wastewater) Utility, for the construction and use of sewers, building sewers, appurtenances, and connections to the collection system; for the regulation, collection, and refunding of rates and charges for sewer service; and for the implementation of the provisions of Chapter 51 of the Fort Wayne Code of Ordinances.

THE NATIONAL CATEGORICAL PRETREATMENT STANDARDS LOCATED AT 40 CFR CHAPTER 1, SUBCHAPTER N, PARTS 405-471, LATEST EDITION, ARE HEREBY INCORPORATED INTO THESE RULES AND REGULATIONS AS FULLY AS IF SET OUT HEREIN.

1. **DEFINITIONS**
For the purposes of these Rules and Regulations, words and terms shall have their ordinary and usual meanings.

Words and terms used herein shall have meanings as defined in either the Fort Wayne Code of Ordinances, as most recently amended (Chapter 51), or as appropriate to the context used.

"Shall" means mandatory; **"may"** means permissible.

Pursuant to 40 CFR 403.3, the following definitions are adopted.

"ACT" -The Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to at IC 13-18-13.

"APPLICABLE PRETREATMENT STANDARDS" -Any pretreatment limit or prohibitive standard (federal, state and/or

local) contained in the ordinance and considered to be the more restrictive with which non-domestic users shall be required to comply.

Authorized or Duly Authorized Representative of the User.

(1) If the User is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

"AVAILABLE" - A sewer is considered to be available for use by a property if it is abutting that property or is located within the public right-of-way or an easement adjacent to the property, has capacity available, and is of a nature intended to collect sewage from individual properties.

BEST MANAGEMENT PRACTICES (BMP's) as it pertains to Industrial Pretreatment. Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40CFR403. BMP's include treatment requirements, operating procedures, and practices to control plant runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMP's also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical Pretreatment Standards and effluent limits.

"BOARD OF WORKS" - The Board of Public Works of the City of Fort Wayne, Indiana.

"BUILDING (OR HOUSE) DRAIN" -That part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.

a) **COMBINED.** A building drain which conveys both sewage and storm water or other drainage.

b) **SANITARY.** A building drain which conveys sewage only.

c) **STORM.** A building drain which conveys storm water or other drainage, but not sewage.

"BUILDING (OR HOUSE) DRAIN CONNECTION" -The point where the building (or house) drain is connected to the building sewer at a location approximately three feet outside the foundation wall of the building.

"BUILDING (OR HOUSE) SEWER" - A private sewer that connects building plumbing to a public sewer. A building sewer normally begins outside the building foundation.

a) **COMBINED.** A building sewer which conveys both sewage and storm water or other drainage.

b) **SANITARY.** A building sewer which conveys sewage only.

c) **STORM.** A building sewer which conveys storm water or other drainage, but not sewage.

"BUILDING (OR HOUSE) SEWER CONNECTION (SEWER TAP)" -The point where the building sewer is connected to the public sewer.

"CATEGORICAL INDUSTRY" -An industry whose effluent is regulated by 40 CFR 403.6.

"CATEGORICAL PRETREATMENT STANDARD OR NATIONAL STANDARD"

-Any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Section 307(b) and (c) of the Act (33 U. S. C. 1317) which apply to a specific category of industrial users which appear in 40 CFR Chapter 1, Subchapter N.

"CLASSIFICATION OF USERS" - Customers of the Water Pollution Control (Wastewater) Utility can be classified into the following general categories:

a) **RESIDENTIAL USERS.** Includes any user of the City's treatment works whose lot, parcel or real estate or building is used for domestic dwelling purposes only.

b) **COMMERCIAL USERS.** Includes all retail stores, restaurants, office buildings, laundries and other private business and service establishments, including those identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget Division I - Services.

c) **INDUSTRIAL USERS.** Includes any user of the City's treatment works which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions; Division A-Agriculture, Forestry and Fishing; Division B-Mining; Division D-Manufacturing; Division E-Transportation, Communications, Electric, Gas and Sanitary. **INDUSTRIAL USERS** shall be classified as follows:

1) **NON-DISCHARGE USERS.** Includes all industries which discharge sanitary sewage only, and industrial users whose discharge is limited to non-contact cooling water, or boiler blowdown water.

2) **NON-MAJOR INDUSTRIAL USERS.** Includes all industries that discharge process water but do not meet the criteria of **SIGNIFICANT INDUSTRIAL USERS.**

3) **SIGNIFICANT INDUSTRIAL USERS (SIU)**. Includes all industries comprised of categorical and non-categorical industries and shall further be defined as set out at 40 CFR 403.3(t).

d) **INSTITUTIONAL USERS**. Includes social, charitable, religious and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.

e) **GOVERNMENTAL USERS**. Includes legislative, judicial, administrative and regulatory activities of federal, state and local governments.

"**CITY**" - City of Fort Wayne, Indiana.

"**CLEANOUT**" - A pipe or some other opening through which a device may be run to unplug a sewer.

"**COLLECTION SYSTEM**" -The network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Water Pollution Control (Wastewater Treatment) Plant.

"**COLLECTOR SEWER**" - Sewer that is primarily installed to receive wastewater directly from building or house sewers and convey the wastewater to an interceptor sewer.

"**COMPATIBLE POLLUTANT**" - Any pollutant that is treatable at the Water Pollution Control (Wastewater Treatment) Plant and that does not cause interference or pass through.

"**COMPLIANCE SAMPLE**" - A sample taken of a user's effluent approximately 30 days after a violation of Chapter 51, the user's permit or the federal pretreatment standards and regulations has been discovered or reported. The user shall be billed for any compliance sample taken.

"**COMPOSITE SAMPLE**" -The sample resulting from the combination of discrete wastewater samples taken at selected intervals while the discharge rate is at or above normal based on an increment of either flow or time. Time intervals between discrete samples not to exceed two hours. The total duration of collection shall not exceed 24 hours.

"CUSTOMER OR CONSUMER" -The person having any interest, whether legal or equitable, sole or only partial, either as tenant, contract purchaser or owner, in any property which is, or is to be, connected to a public sanitary sewer, either temporarily or permanently, by the Water Pollution Control (Wastewater) Utility and all those having such interest.

"DEFRAUDING THE UTILITY" -The act of requesting or receiving utility service(s)under fictitious circumstances or any other act done with the intent to deprive City Utilities of its right to payment.

"DEVELOPER" - An individual, corporation or organization that is engaged in or proposes activity on real estate for the purpose of providing infrastructure, lots, tracts or structures for residential, commercial, industrial public or quasi-public purposes.

"DIRECTOR" - The director or chief administrative officer of City Utilities, or authorized designee.

"DWELLING" - A building, or portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.

"EFFLUENT" - The water, together with any wastes that may be present, flowing out of a building (or house) drain, sewer receptacle or outlet.

"EPA or U.S. EPA" - United States Environmental Protection Agency

"EMERGENCY" -An unforeseen circumstance or combination of circumstances that may cause an eminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control (Wastewater Treatment) Plant.

"FOLLOW-UP SAMPLE" -A sample taken of a user's effluent at the city's discretion from a user receiving scheduled sampling, at times other than those regularly scheduled. A follow-up sample shall be done at no cost to the user.

"GARBAGE" -Any solid wastes from the preparation, cooking or dispensing of food or from the handling, storage or sale of produce.

"GRAB SAMPLE" -An individual discrete effluent sample collected over a period of time not to exceed 15 minutes.

"GROUND GARBAGE" -Garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half inch in any dimension.

"IMPERVIOUS SURFACE" - Areas that have been paved and/or covered with buildings and materials which include, but are not limited to, concrete, asphalt, rooftop and blacktop, such that the infiltration of water into the soil is prevented.

"INCOMPATIBLE POLLUTANTS" -Any pollutant that is not a compatible pollutant or that would cause damage to the collection system and/or Water Pollution Control (Wastewater Treatment) Plant.

"INDIRECT DISCHARGE" -The introduction of pollutants into the collection system from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act.

"INDUSTRIAL WASTE" -Any solid, liquid or gaseous substance, or form of energy discharged, permitted to flow or escape, or transported from an industrial, manufacturing, commercial or business operation or process, or from the development, recovery or processing of any natural resource carried on by any person.

"INFLUENT" - The water, together with any wastes that may be present, flowing into a drain, sewer, receptacle or outlet.

"INTERCEPTOR SEWER" - Principal sewer to which collector sewers are tributary. Interceptor sewers convey wastewater to the Water Pollution Control (Wastewater Treatment) Plant or other disposal facilities.

INTERFERENCE "Interference" means a discharge that, alone or in conjunction with a discharge or discharges from other sources, does one (1) of the following:

(1) Inhibits or disrupts the POTW, its treatment processes or operations, its sludge processes, or its selected sludge use or disposal methods.
(2) Causes a violation of any requirement of the POTW's NPDES permit, including an increase in the magnitude or duration of a violation.
(3) Prevents the use of the POTW's sewage sludge or its sludge disposal method selected in compliance with the following statutory provisions, regulations, or permits issued thereunder or more stringent state or local regulations:
(A) Section 405 of the Clean Water Act (33 U.S.C. 1345).
(B) The Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901), including:
(i) Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA); and

(ii) the rules contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA (42 U.S.C. 6941).
(C) The Clean Air Act (42 U.S.C. 7401).
(D) The Toxic Substances Control Act (15 U.S.C. 2601).~~"INTERFERENCE" - A discharge, alone or in conjunction with a discharge or discharges from other sources, which both:~~

~~a) inhibits or disrupts the Water Pollution Control (Wastewater Treatment) Plant, its treatment processes or operations, or its sludge processes, use or disposal; and~~

~~b) therefore, is a cause of a violation of any requirement of the Water Pollution Control (Wastewater Treatment) Plant's National Pollutant Discharge Elimination System (NPDES) permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.~~

"**IPS**" -Industrial Pretreatment Section of the Water Pollution Control (Wastewater Treatment) Plant.

"**METER**" -A mechanical device used to measure and record the quantity of water supplied to a customer or the quantity of wastewater discharged from a customer. The meter is the official recorder of the amount of water consumed or wastewater discharged by a customer.

"**MONTH**" -The period between any two consecutive regular billings by the City Utilities for service rendered to a customer at his premises. Such billings are scheduled at intervals of approximately thirty (30) days. For purposes of billing, a month is 25 - 35 days. Any bills produced outside this parameter shall be pro-rated on a per day basis.

"**MONTHLY METER SERVICE FEE**" -A charge assessed each customer to recover administrative costs and those associated with billing, meter reading and maintenance of the water system, based on the size of the meter.

New Source.

(1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

(a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
(b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
(c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

(2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

(a) Begun, or caused to begin, as part of a continuous onsite construction program

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(i) any placement, assembly, or installation of facilities or equipment; or
(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

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"NPDES PERMIT" -The National Pollutant Discharge Elimination System Permit issued by the Indiana Department of Environmental Management (IDEM) for discharges of waste waters to navigable waters of the United States pursuant to Section 402 of 33 U.S.C. 466.

"OPERATION AND MAINTENANCE COSTS" -All costs direct and indirect, other than debt services including replacement

costs as defined herein, necessary to insure adequate wastewater treatment on a continuing basis conforming with federal, state or local requirements and to insure long-term facilities management.

"OWNER" -Designates the person holding the deed or record title to a premises. For the purposes of these Rules and Regulations, a contract purchaser is not considered an owner unless the contract has been duly recorded in the Allen County Recorders Office.

"PASS THROUGH" -A discharge which exits the Water Pollution Control (Wastewater Treatment) Plant into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Water Pollution Control (Wastewater Treatment) Plant's NPDES permit (including an increase in the magnitude or duration of a violation.)

"PERSON" -Any individual, owner, discharger, lessee, occupant, firm, partnership, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity.

"pH" -An expression of the intensity of the base or acidic conditions of a liquid.

"PRETREATMENT REQUIREMENTS" -Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an industrial user.

"PUBLICLY OWNED TREATMENT WORKS (POTW)" - All facilities and systems for collecting, transporting, pumping, treating, and disposing of sewage and sludge, including the Water Pollution Control (Wastewater Treatment) Plant and the sanitary, storm, and combination sewer collection systems, whether or not in active use, which are owned by a state, municipality, city, town, special sewer district, or other publicly owned or financed entity.

"REPLACEMENT COSTS" -That cost, stated in current monetary values, as an operating cost which represents and measures the expenditures required to replace equipment, accessories or appurtenances of the property in order to maintain capacity and performance during the

useful life of the property of the Water Pollution Control (Wastewater) Utility.

"SANITARY SEWAGE" -Sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, lodging or boarding house, office buildings, factories or institutions, and free from storm water, surface water, and groundwater.

"SCHEDULED SAMPLE" -Routine sampling of a user's effluent, usually twice a year for a commercial user and quarterly for industrial users.

"SERVICE CHARGE" -A charge levied on a user of the treatment works that includes the user charge, a charge for local capital costs, and may include other charges for current services.

"SEWAGE" - The water-carried wastes from residences, business buildings, institutions and industrial establishments, singularly or in any combination, together with such ground, surface and storm waters as may be present.

"SEWER" - A pipe or conduit for carrying sewage and other waste liquids as differentiated below:

a) **COMBINED OR COMBINATION SEWER.** A sewer that carries storm, surface and groundwater runoff as well as sewage.

b) **PRIVATE SEWER.** Sewer owned and maintained by a private company, person, group of persons or other private entity.

c) **PUBLIC SEWER.** A sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by City Utilities.

d) **SANITARY SEWER.** A sewer that carries domestic and industrial sanitary sewage and to which storm, surface, groundwaters and unpolluted industrial wastewaters are not intentionally admitted.

e) **STORM SEWER.** A sewer designated or intended to convey only stormwater, surface runoff, street wash waters and drainage and not intended for

sanitary sewage and industrial wastes other than unpolluted cooling water.

"SEWER BILLING FEE" -The monthly billing charge that covers administrative costs associated with billing, which includes the costs of reading the meter.

"SEWER SECTION" - A continuous length of sanitary sewer that is between two (2) manholes or between a manhole and a cleanout.

"SIGNIFICANT NON-COMPLIANCE" (SNC) -Significant Non-Compliance is defined as set out in 40 CFR 403.8(f) (2) (vii) and Rule 12.

"SLUG DISCHARGE" OR "SLUGLOAD" - Any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

"STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE" -A classification pursuant to the Standard Industrial Classification Manual used by the U.S. Office of Management & Budget.

"STANDARD METHODS" -The examination and analytical procedures set forth in the most recent edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Water Works Association (AWWA) and the Water Environment Federation (WEF), a copy of which is on file in the Office of the Superintendent.

"SUPERINTENDENT" -The Superintendent of the Water Pollution Control (Wastewater Treatment) Plant, or a designee.

"TEN STATE STANDARDS" - Recommended Standards for Wastewater Facilities on the Great Lakes - Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers. Most recent addition.

"TOXIC POLLUTANT" -One of 126 pollutants, or combinations of those pollutants, listed as toxic in regulations promulgated by the U.S. EPA under the provisions of Section 307 (33 USC 1317) of the Act.

"USER" - Any domestic or non-domestic discharger of wastewater which introduces pollutants to the Publicly Owned Treatment Works (POTW)

"USER CHARGE" -A charge imposed on the users of the Water Pollution Control (Wastewater) Utility to defray the cost of operation, maintenance and replacement.

"USER REQUESTED SAMPLE" -Any effluent sample taken by City Utilities at the request of the user, the cost for which shall be billed to the user.

"UTILITY" - The Water Pollution Control Utility (Wastewater Utility) of the City of Fort Wayne, Indiana.

"WASTE SURVEILLANCE CHARGE" -A monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating that user's waste by sampling, laboratory analysis and/or other methods deemed necessary. Said charges are set forth in Section 51.065 et seq. and are subject to review annually as provided in Section 51.079 of the Fort Wayne Code of Ordinances.

"WATER POLLUTION CONTROL (WASTEWATER TREATMENT) PLANT (WPC PLANT)" - The arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge, which is owned, controlled and maintained by City Utilities.

"WATER POLLUTION CONTROL UTILITY (WASTEWATER UTILITY)" All facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewage treatment plant and the sanitary, storm and combination sewer collection systems whether or not in active use.

2. **CONNECTION TO PUBLIC SANITARY SEWER** A new connection may be made to a City sewer or sewers connected to the City system only after there has been adequate assurance by City Utilities that the downstream facilities of the collection system have adequate capacity to transmit and treat the new waste loadings.

The Fort Wayne Code of Ordinances requires that every property in the City of Fort Wayne shall connect to the municipal collection system whenever a sanitary sewer is available for use. The connection to the municipal collection system shall be made within ninety (90) days after such sanitary sewer is available.

A sewer is considered to be available for use by a property if it is abutting that property, or is located in the public right-of-way or easement adjacent to the property, has capacity available, and is of a nature intended to collect sewage from individual properties--a collector sewer as opposed to an interceptor. An interceptor sewer is not intended to collect sewage via direct building (house) sewer connections. A sewer is considered to abut a property if it is located within a public right of way or easement that is adjacent to or abuts any part of the property that could be served.

Those properties not abutting a City sewer, but within three hundred feet (300') of an available sewer, shall make arrangements to have sewer extended to their property. Public sewers may be extended by private property owners once plans have been reviewed and approved by the City Utilities Water Resources Department in accordance with Section 5 - EXTENSION OF CITY SEWERS of these Rules and Regulations. Property owners may also petition the Board of Public Works for a sewer extension project. Property owners shall pay for a portion of the sewer extended through a petition-initiated project in accordance with the funding guidelines in effect at the time of the petition. Connection to the new sewer may not be made until the Board of Public Works accepts the main, or a Prime Contractor's Release is executed by the City Utilities Water Resources Department.

A connection to the public sewer may be accomplished as follows:

a) Where a tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the public sewer and the tapping "saddle and/or joint" shall be considered part of the building sewer.

b) Where fittings (T's or Y's) are employed, the connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.

Any property that has a public sewer available but is not connected shall be referred to the Fort Wayne/Allen County Board of Health for enforcement of applicable sanitary codes requiring connection to such public sewer.

Per 51.057 of the Fort Wayne Code of Ordinances, the Health Commissioner may, on written application and proof of economic hardship, extend the time within which a property shall be connected to the municipal collection system.

3. **BUILDING OR HOUSE SEWERS**

A. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the New Water & Sewer Permit Office, Room 270, City-County Building, Fort Wayne, IN.

B. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City for any loss or damage directly or indirectly occasioned by the installation of the building sewer, including water damages from the backup of the public sewer system.

C. A separate and independent building sewer shall be required for every building, except where one building stands at the rear of another on an interior lot and where no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway. The building sewer from the front building may be extended to the rear building and the whole pipe considered as one building sewer.

D. A building sewer shall not cross the property of another private owner unless such private owner has granted a permanent easement for such building sewer which is duly recorded in the Office of the Allen County Recorder.

E. Existing building sewers may be used in connection with new buildings only when they are found, upon examination and test, to meet the current code requirements for building sewers.

F. The installation of a building or house sewer shall comply with Chapter 51 of the Fort Wayne Code of Ordinances and applicable sections of the City Utilities Water Resources Department Development Criteria/Standards Manual.

G. City Utilities shall have no responsibility for the installation, maintenance and repair of building sewers, nor shall it be responsible for repair of building sewer connections including joints and fittings, if installed by a private contractor.

H. It is recommended that gravity building sewer connections only be constructed for homes or buildings where the lowest elevation to have sanitary services is one foot (1') or more above the top of the manhole casting elevation of the first upstream manhole on the public sewer to which the connection is proposed to be made. In instances where this one-foot distance is not achievable and in areas susceptible to back-ups, proper backflow prevention shall be designed. If the first upstream manhole is at a higher elevation due to the natural topography of the area, an alternate method may be selected by the City Utilities Water Resources Department for the purpose of determining the feasibility of gravity connection.

I. A gravity building sewer connection will NOT be allowed for homes or buildings where the lowest elevation to have gravity sanitary services is less than one foot (1') above the top of the manhole casting elevation of the first upstream manhole on the public sewer to which the connection is proposed to be made. If the first upstream manhole is at a higher elevation due to the natural topography of the area, an alternate method may be selected by the City Utilities Water Resources Department for the purpose of determining the feasibility of gravity connection. In instances in which gravity flow is not permitted, sanitary sewage carried by building sewers shall be lifted by an approved means (i.e., grinder pumps) and subsequently discharged to the public sewer.

J. No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain that is connected either directly or indirectly to a sanitary sewer of the Water Pollution Control Utility (Wastewater Utility).

K. The connection of the building sewer into the public sewer shall conform to these applicable Rules and Regulations. All such connections shall be made gastight and watertight. Any deviation of the

prescribed procedure or material must be approved by the City Utilities Water Resources Department before installation.

L. The Board of Public Works shall have the authority to require an owner of real property to disconnect any downspouts, yard drains or other drains which carry natural precipitation runoff from a building sewer and which drain into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.

M. The Board of Public Works shall have the authority to require that runoff from new construction or redevelopment tributary to any combined sewer be designed to minimize or delay inflow contribution to the existing combined sewer system.

N. The Board of Public Works shall have the authority to require that for any new construction with new impervious surface, any new storm sewer connection to any existing combined sewer shall be made separate and apart from the sanitary sewer connection in order to facilitate future disconnection from the combined sewer in the event a separate storm sewer subsequently becomes available.

O. No owners of or persons controlling any real property shall allow soil to enter any building sewer constructed to serve said property at any time.

P. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

Q. No owners of or persons controlling any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from City Utilities, and until owner has satisfied the obligation to pay all assessments, reimbursements and pro rata shares of sewer extension costs levied against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify any such obligation that has been duly recorded nor stop the City Utilities from charging and collecting such costs at any subsequent time.

R. From time to time, the Board of Public Works may permit any persons to tap or drain into a public sewer and to defer, in whole or in part, payment of the obligation, upon the execution and delivery to the Board of Public Works of a note, mortgage, lien document or other evidence of obligation acceptable to the Board of Public Works.

S. All such deferred obligations shall be considered for the purposes of Indiana Code Sections 36-9-23-31 through 36-9-23-34 to be fees assessed against real property.

T. Installments of deferred obligations, including any finance charges or interest chargeable thereon, shall be deemed to be "charges for sewer service" for the purposes of Chapter 51 of the Fort Wayne Code of Ordinances.

U. Sewer tap permits shall be obtained from the City Utilities New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay a fee based on service size and connection point at the time of permit application. The cost of all permits shall be per Chapter 51 of the Fort Wayne Code of Ordinances, as most recently amended. Six-inch (6") tap connections into a sewer structure as opposed to direct connection into a sewer line, or taps larger than six inches (6") shall require approval from the City Utilities Water Resources Department. Not later than forty-eight (48) hours after making each sewer tap and building sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by City Utilities prior to backfilling the sewer installation. Hours during which inspection requests will be accepted will be established by the New Water and Sewer Permit Office.

V. In cases of requests for connections to newly constructed mains prior to acceptance by the Board of Public Works, a Prime Contractor's Release must be executed and granted through the City Utilities Water Resources Department and submitted to the New Water and Sewer Permit Office. Upon satisfaction of all other requirements, a permit for connection may be issued.

W. No person shall make use of a sewer tap or backfill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by City Utilities. In addition to all other remedies, City Utilities may cause the installation of sewer tap to be excavated and exposed, may terminate the connection and may require the owner or occupant to pay or reimburse City Utilities for its costs and expenses in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewage treatment services and may be collected in accordance with the provisions of Indiana Code 36-923-31 through 36-9-23-34 and Chapter 51 of the Fort Wayne Code of Ordinances.

X. City Utilities shall have the authority to repair, as deemed necessary, building sewers or building sewer connections when City Utilities has determined that the disrepair has a detrimental effect on the public sewer system or is causing damage to a surface improvement or any other City facility, structure or property.

The property owner shall reimburse City Utilities for a portion of its costs and expenses associated with making such repair. Such costs and expenses shall be considered as charges for sewage treatment services and shall be billed to the property owner.

The cost of the repair billed to the property owner may be limited and the property owner's share may be financed over time when the property owner qualifies under the guidelines established by the Board of Public Works' "Tap Repair Policy," which is specifically incorporated as a part of these Rules and Regulations.

4. LICENSED BUILDING SEWER CONTRACTORS

A. In order to maintain strict control and quality of the collection system, all contractors and/or plumbers who connect, install, repair and/or replace a sanitary sewer tap shall be required to have a valid sewer license or registration. Examinations shall be required for new applicants, for those whose licenses have been expired for more than one (1) year and for those whose licenses have been suspended (see paragraph H).

B. Plumbers who connect, install, repair and/or replace sanitary sewer taps and are currently licensed with the State of Indiana shall register with the City Utilities New Water and Sewer Permit Office as a building sewer contractor, and upon registration shall be exempt from examination.

C. The examinations will require the knowledge of installation, workmanship, materials, safety and health regulations, liability, Department of Water Resources Development Criteria/Standards Manual, Chapter 51 of the Fort Wayne Code of Ordinances, and any other necessary information to determine the experience and knowledge of the contractor to install a building sewer. A score of seventy (70%) percent shall be required in order to pass the examination. There shall be a one-week time interval before the applicant can repeat the examination.

D. After successfully passing the examination, or being exempted therefrom, the Contractor may purchase a license or registration for the current calendar year, renewable annually on the first day of each succeeding year, to install building sewer taps.

E. An annual fee of Fifty ($50.00) Dollars shall be paid to the New Water and Sewer Permit Office by each licensed or registered sewer tap contractor.

F. The contractor shall post a Performance Bond and Certificate of Liability Insurance with City Utilities New Water and Sewer Permit Office.

G. Contractor/Plumber must obtain a City Utilities Water Resources Department Development Criteria/Standards Manual and maintain it in an up to date form.

H. At the request of the Board of Public Works, but not more than once a year, all licensed or registered sewer tap contractors shall be required to attend a seminar sponsored by Fort Wayne City Utilities. This seminar shall include information about installation, workmanship, materials, safety and health regulations, liability, Department of Water Resources Development Criteria/Standards Manual and Chapter 51 of the Fort Wayne Code of Ordinances.

I. License/registration may be suspended if proper compliances are not met as outlined in Chapter 51. If the license is suspended as a result of lack of compliance with any section of Chapter 51 or these Rules and Regulations, the Director shall require that the contractor: 1) bring into compliance the work that was the cause of the suspension, 2) successfully pass the registration examination as outlined in paragraph A above, and 3) pay the registration fee prior to being re-licensed.

5. **EXTENSION OF CITY SEWERS**

A. All new developments, subdivisions, apartment complexes, shopping centers, hotels, restaurants, or any other residential, commercial or industrial development shall include adequate public sanitary and storm sewer systems.

B. If adequate public sewers do not exist, the developer shall extend or cause to be extended adequate public sewers. Plans for any public sewer extension must be approved by City Utilities Water Resources Department. All extensions must be designed and constructed in accordance with the City Utilities Water Resources Department Development Criteria/Standards Manual, and in compliance with the "Ten State Standards".

The public sewer extension shall be extended within the right-of-way or an approved easement. The extension shall terminate at the point where the most remote tap would be made. In instances where the sewer extension parallels or is in close proximity to adjacent property, a public right of way or easement must be provided to permit the extension of the sewer by others to serve the adjacent property.

C. If a sewer is in an easement for several sewer sections, a manhole shall be installed on that sewer within the right-of-way of a crossing street in order to provide access for truck mounted maintenance equipment.

D. Review of the plans and inspection prior to and during construction by the Industrial Pretreatment Section (IPS) of the Water Pollution Control (Wastewater Treatment) Plant and/or City Utilities

Water Resources Department shall be at the expense of the developer. The charge for review and approval of the sewer plans and inspection during installation of the sewers shall be satisfied by the developer at the time a contract for sewer extension is executed.

E. No person shall make use of a sewer extension, backfill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by City Utilities. In addition to all other remedies, City Utilities may cause the said installation to be excavated and exposed, may terminate the connection, and may require the developer or contractor to pay or reimburse City Utilities for its costs and expenses in such excavation, exposure, termination, reconnection, and restoration.

F. The Board of Public Works may accept petitions from property owners requesting the extension of public sanitary sewers. Under the Board's policy, property owners abutting the sewer line shall pay for a portion of the cost of the sewer extension. For properties inside the City limits, the revolving Barrett Law program provides a financing mechanism for the property owners' share of the costs of a petition-initiated project. Contact the City Utilities Water Resources Department for more information about the petition process.

6. LIMITATION OF CONCENTRATIONS PERMITTED IN INDUSTRIAL WASTES

A. In accordance with the provisions of Section 51.033 of the Fort Wayne Code of Ordinances, the Board of Public Works, in order to protect the operation of the Water Pollution Control (Wastewater Treatment) Plant, the disposal of its sludge, and its discharge to the receiving stream, hereby limits the discharge of toxic ions, compounds, or substances entering the public sewage system not to exceed the concentration listed below:

Constituent	Daily Maximum Limitation (mg/1)
Arsenic	0.10
Cadmium	0.70

Chromium (Hexavalent)	0.50
Chromium (Total)	10.00
Copper	2.00
Cyanide	1.20
Lead	0.60
Mercury	0.01
Nickel	3.00
Phenol	1.00
Silver	0.30
Zinc	6.00

The above limits apply at the point where wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The Superintendent may impose mass limitations in addition to the concentration-based limitations above.

The Superintendent may also develop Best Management Practices (BMP's), by ordinance or in individual wastewater discharge permits, to implement local limits and the requirements of Section 51.033.

In addition to those pretreatment limitations specified in their individual pretreatment permits, photographic finishing industries will be limited to a daily maximum silver effluent limitation of 4.00 mg/l based on a maximum flow of 400,000 gallons per day per photographic discharger.

Non-major industries which discharge silver above the detection limit for silver (.01 mg/l) may be subject to pretreatment permits.

B. SAMPLE DISPUTE RESOLUTION.

In accordance with Section 51.040 of the Fort Wayne Code of Ordinances, the following procedure will be used in the event of a dispute between the Superintendent and the user as to the concentration, toxic nature or compliance status of the sample taken and analyzed by the City Utilities.

All such disputes shall be resolved consistent with the most current approved U.S. EPA or IDEM guidance documents and methodologies through an appeal filed by the industrial user. All appeals shall be resolved in an impartial manner through uniform application of the appeals procedures and considerations. Specifics of this process are set out in each Industrial Wastewater Discharge Permit and the steps for resolution of an appeal are contained in the Industrial Pretreatment Section Enforcement Response Guide. These documents may be modified as more accurate procedures become available. The following documents are the recognized authority at the date of approval of these Rules and Regulations:

a) U.S. EPA memorandum, January 21, 1992 Determining Industrial User Compliance Using Split Samples.

b) Resolving Compliance Disputes, ~~June 24, 1994 --~~ Memorandum from City of Fort Wayne Law Department to Greater Fort Wayne Water Quality Subcommittee, and flow chart. ~~of same date.~~

6.1 LIMITATION OF CONCENTRATION OF OIL AND GREASE AND ACCEPTABLE RANGE OF pH.

A. Oil and grease (O&G) may be discharged to the Water Pollution Control (Wastewater Treatment) Plant in a concentration of 200 mg/l total for industries and commercial establishments whose O&G wastewater discharge historically contained primarily animal/vegetable O&G in their process as determined by their Standard Industrial Classification (SIC) code listed in the SIC Manual, 1987.

Within the City of Fort Wayne service area, these industries are:

a) Restaurants - SIC code 5812.

b) Bakery Products - SIC code 2051, 2052.

c) Potato chips and other snack foods -SIC code 2096.

B. If it becomes necessary to restrict the 200 mg/l total O&G limit in the future in order to protect the integrity of the Water Pollution Control Utility (Wastewater Utility), no penalty shall attach for discharge between the new, lower level and the current 200 mg/l total O&G limit for a period of ninety (90) days following action of the Board of Public Works approving the reduced limit.

C. It is the finding of the Board of Public Works that the following industries have been shown to not cause interference when total O&G is discharged in excess of 200 mg/l:

a) Dairy Products (milk) SIC code - 2026.

b) Dairy Products (ice cream) SIC code -2024, 5143.

For the above industries such discharge shall be allowed to the extent the total O&G in the wastewater discharge does not cause interference with the public sewer system. For the purpose of determining compliance with this standard, an appropriate total O&G numerical limit shall be incorporated into such user's Industrial Wastewater Discharge Permit. The Board of Public Works grants the Superintendent limited power to evaluate the total O&G discharge of such a user and to grant such user an individual numerical total O&G limit greater than 200 mg/l (total) but no greater than 3000 mg/l.

The Superintendent's evaluation of an appropriate total O&G numerical limit for an individual user shall consider the user's historical discharge concentrations of total O&G and the impact, if any, of such discharge on the public sewer system.

The Superintendent shall monitor the effect of the user's discharge on the City's sewer system. Should the Director find that discharge at the higher, permitted level causes interference with the public sewer system, the Director shall promptly notify the user, at which point the Director shall negotiate an appropriate modification to said user's permit.

D. The acceptable range for pH is 6-12. Analysis shall be conducted on grab samples taken at the user's sampling point, as determined by the Superintendent.

6.2 ADMINISTRATIVE ENFORCEMENT OF A/V O&G AND pH.

A. This section shall apply only to those users described in Section 6.1 above. All other users shall be subject to the enforcement provisions set out in the City's Enforcement Response Plan and Section 51.111 of the Fort Wayne Code of Ordinances.

B. Routine samplings ~~shall~~ May be conducted at least annually for all restaurants discharging to high maintenance sewer lines as designated by the Superintendent of Water Pollution Control Maintenance (WPCM). Any user found to have exceeded the 200 mg/l A/V O&G discharge limit upon initial sampling shall receive a written Notice of Exceedance. This notice may require the user to provide City Utilities' with a written explanation of its current and proposed means of regulating its O&G discharge, which plan is subject to the approval of the Superintendent of the Water Pollution Control (Wastewater Treatment) Plant. Thereafter, a second compliance sample shall be collected and analyzed by City Utilities. Based on the results of this compliance check, the following escalating administrative fines ~~shall~~ may be assessed.

For each exceedance of the 200 mg/l limit thereafter, this fine schedule ~~shall~~ may apply per occurrence. Further, any user found to have exceeded the 200 mg/l limit ~~shall~~ may be subject to resampling within thirty (30) days from the date the Notice of Exceedance is mailed.

Milligrams/Liter	
201 -300	$ 200
301 -500	$ 400
501 -1000	$ 600
over 1000	$1,000

Excepted from the above fine schedule are users governed by O&G limits set in accordance with aforementioned Section 6.1 (C) of these Rules and Regulations. (SIC codes 2024, 2026 and 5143).

C. The following administrative fines may be assessed, per occurrence, to pH test results showing the user's pH level to be outside the approved range of 6 - 12.

±0.5 units from the standard....$ 100.00

±1.0 units from the standard....$ 200.00

±1.5 units from the standard....$ 350.00

± 2.0 units from the standard...$ 400.00

Greater than ±2.0 units
from the standard.....$ 500.00

D. The cost of gathering and analyzing a compliance sample following a finding of exceedance or noncompliance under 6.1 of these Rules and Regulations is built into the fine schedules set out in paragraphs B. and C. above.

7. **SEPTIC TANK CLEANINGS AND INDUSTRIAL WASTES ACCEPTED AT THE WATER POLLUTION CONTROL (WASTEWATER TREATMENT) PLANT**

A. Wastes that can be treated in digesters: Septic tank cleanings, milk whey and other wastes acceptable to the Superintendent for treatment in the plant digesters from waste hauler trucks will be handled by the Water Pollution Control (Wastewater Treatment) Plant for charges set out in Section 51.076 of the Fort Wayne Code of Ordinances.

B. Wastes that cannot be treated in digesters:
Commercial or industrial wastes acceptable to the Superintendent, but which are not acceptable for treatment in the plant digesters (i.e., which must go to the Fort Wayne Biosolids Handling Facility or other disposal), and which are received from waste hauler tank trucks, will be handled by the Water Pollution Control (Wastewater Treatment) Plant on an individual contract basis as approved by the Director and the Board of Public Works, at a charge

adequate to reimburse the City Utilities for materials, labor, and overhead costs estimated to dispose of such wastes.

8. **FLOW METERING EQUIPMENT**

A. When an industry has been determined by the Superintendent to be a "Significant Industrial User," the Superintendent shall notify such industry and may, at Superintendent's sole discretion, require the installation, within one hundred twenty (120) days, of flow metering equipment for the purpose of determining the sewage flow or flows to the public sewer.

B. The specifications for any flow metering device and plans for installation shall be submitted to and approved by the Superintendent prior to its installation.

C. The cost of, and responsibility for, installation and maintenance of such equipment shall be the sole responsibility of said user.

D. The Board of Public Works may, upon application and proof of economic hardship or other reason, extend the time within which such equipment must be installed.

9. **CONTROL MANHOLES**

A. Any person who discharges or may discharge industrial wastes into a public sewer via any means may be required by the Superintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement, and sampling of owner's waste. Such manholes shall be constructed in accordance with the standards and specifications of the City Utilities Water Resources Department Development Criteria/Standards Manual. The Superintendent may also require the person to install and maintain in any such manhole, at said person's expense, an approved volume-measuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

B. Any building sewer which will have or has the potential of discharging prohibited wastes and/or wastes in excess of normal domestic sewage shall have a control manhole installed in accordance with either the City ~~Resources~~ Water Resources Department Development Criteria/Standards Manual or an alternate mechanism for sampling approved by the Superintendent.

C. City Utilities has deemed it necessary to require the installation of a control manhole in all building sewer lines where the Superintendent has determined that any of the following conditions exist:

a) Abnormal maintenance of the sewer has been required to prevent and/or correct the occurrence of blockages, back-ups, etc., which have resulted in property damage; and evidence indicates that the abnormal maintenance is the result of the discharge of wastes in excess of limitations set forth in the Fort Wayne Code of Ordinances.

b) There exists a concentration of persons discharging wastes into a public sewer through a building sewer or sewers not having control manholes.

c) The results of laboratory analysis have demonstrated that the strength of wastes being discharged into the public sewer are in excess of limitations set forth in the Fort Wayne Code of Ordinances.

D. The Superintendent shall notify, in writing, any person who has been identified to be in violation of any of the above-mentioned conditions and shall require such person or persons to install one or more control manholes.

E. Following notification, a control manhole shall be installed within one hundred twenty (120) days. Failure to install the control manhole within 120 days shall be considered a violation of these Rules and Regulations.

F. Control manholes shall be located upon private property, shall receive all wastes from the property

and shall be readily accessible to representatives of the Water Pollution Control Utility (Wastewater Utility) in order to facilitate observation, measurement, and sampling of the waste being discharged.

G. The cost of and responsibility for installation and maintenance of control manholes and flow-metering equipment shall be the sole responsibility of the property owner or utility user.

H. The Board of Public Works may, upon application and proof of economic hardship or other reason, extend the time within which such equipment must be installed.

10. GREASE AND SAND TRAPS

A. Whenever the Superintendent determines that interceptors or traps are needed to protect the collection system or the Water Pollution Control (Wastewater Treatment) Plant from oil, grease, sand, or similar substances occurring in any person's sewage and so notifies the customer, then such traps shall be promptly installed by the customer at their expense and shall be so maintained by that person so that none of such substances can be discharged or carried over into the public sewers. All traps or interceptors shall meet the City Utilities Water Resources Department Development Criteria/Standards Manual standards as to construction, location, and installation.

B. Any non-residential building sewer which will have or has the potential of discharging waste containing oil, grease, sand or similar substances, shall have a grease and/or sand trap installed in a manner to provide, at all times, the effective removal of oil, grease, and/or similar substances before discharge to the public sewer.

C. The Water Pollution Control (Wastewater) Utility has deemed it necessary to require the installation of a grease and/or sand trap in either the building sewer or within the building's plumbing system in accordance with the minimum requirements of the Uniform Plumbing Code, Latest Edition, Chapter 7, where the Superintendent has determined that any one of the following conditions exist:

a) Excessive maintenance of the sewer has been required to prevent the occurrence of blockages, back-ups, etc., resulting in property damage; and evidence indicates that the cause of this excessive maintenance is the discharge of prohibited wastes and/or wastes in excess of limitations set out in the Fort Wayne Code of Ordinances.

b) There exists a concentration of persons discharging prohibited wastes into a public sewer without the benefit of any grease, and/or sand trap.

c) The results of laboratory analysis have demonstrated that the strength of wastes being discharged into the public sewer are in excess of the limitations set out in the Fort Wayne Code of Ordinances.

D. The Superintendent shall notify, in writing, any person who has been identified to be in violation of any of the above-mentioned conditions and shall require such person or persons to install and/or maintain an existing grease and/or sand trap.

E. Following notification, the grease and/or sand trap shall be installed within one hundred twenty (120) days. Failure to install the grease and/or sand trap within 120 days shall be considered a violation of these Rules and Regulations.

F. If notification is given that maintenance is required, said maintenance shall be carried out within thirty (30) days, after which time the user shall be considered to be in violation of these Rules and Regulations.

G. The cost of, and responsibility for installation and maintenance of grease and sand traps shall be the sole responsibility of the property owner or utility user.

H. The Board of Public Works may, upon application and proof of economic hardship or other reason, extend the time within which such equipment must be installed.

11. SUBMISSION OF DATA ON INDUSTRIAL WASTE

All Significant Industrial Users, whether categorical or non-categorical, shall comply with the reporting requirements found at 40 CFR 403.12, latest edition. Data collected to satisfy reporting requirements must be representative of the conditions occurring during the period covered by the report. All samples shall be collected using protocols, including appropriate preservation, specified in 40 CFR Part 136, latest edition.

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Users subject to the reporting requirements of this rule shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this rule, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established pursuant to this ordinance. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates the analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the City.

All industries subject to federal categorical standards having established limitations for Total Toxic Organics shall file with the Industrial Pretreatment Section, a scan for Total Toxic Organics (TTOs) ~~or a Toxic Organic Management Plan (TOMP)~~ at least biannually or whenever a process change occurs, whichever occurs first. Excepted from this monitoring requirement are users having a Toxic Organic Management Plan (TOMP) that has been approved by the city and incorporated into the users Industrial Wastewater Discharge Permit. These users shall certify biannually that the approved TOMP is being fully implemented, and shall be required to perform the required monitoring for submittal with each permit renewal application or whenever a process change occurs, whichever occurs first.

All industrial users shall include certification statements with all self-monitoring reports as set out in 40 CFR 403.6(a)(2)(ii).

An industrial user shall notify the Industrial Pretreatment Section within twenty-four (24) hours of becoming aware of a violation of Chapter 51 of the Fort Wayne Code of Ordinances or of its wastewater discharge permit.

~~A penalty of $50.00 may be assessed to any User for each report required by this rule, a permit, or order that is submitted fifteen (15) days or more after the required submittal date. Actions taken by the City to collect late reporting penalties shall not limit the City's authority to initiate other enforcement actions for late reporting violations.~~

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12. PUBLIC NOTIFICATION

In accordance with the provisions of 40 CFR 403.8(f)(2)(viii), the City shall annually publish in ~~Allen County's largest daily newspaper~~ a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of ~~all Significant Industrial~~ the Users which, at any time during the previous twelve(12) months, ~~are~~ were in Significant Non-Compliance with applicable

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Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this section) and shall mean:

A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six-(6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous limits as defined in Section 51.001;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by section 51.001 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. Any other ~~violationof~~violation of a Pretreatment Standard or Requirement as defined by Section 53.001(Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Superintendent determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or that has resulted in the Superintendent's exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which may include a violation of Best Management Practices, which the Superintendent determines will adversely affect the operation or implementation of the local Pretreatment Program.

13. SPECIAL DISCHARGES

A. Any and all discharge of water from swimming pools shall be directed to a sanitary sewer. No discharge from swimming pools shall be allowed to flow, either directly or indirectly, on to the ground of the pool owner,

on to the ground of other private property, or on to any public property or roadway.

B. Swimming pool discharges are allowed in the municipal separate storm sewer system under the following conditions:

a) The chlorinated water must sit idle for seven (7) days following the most recent chlorination prior to discharge to a storm sewer; or

b) The swimming pool water must be analyzed to show that the discharge does not contain detectable concentrations of chlorine residual (less than 0.05mg/l).

Approval for discharge of swimming pool water into the storm sewer system must be given by the Superintendent of Water Pollution Control Maintenance.

C. Under no circumstances shall anyone discharge any wastewater into any City owned or maintained inlet, catch basin or manhole without approval from the Superintendent of Water Pollution Control Maintenance.

14. SERVICE CHARGES

A. General

a) Charges for sewer service shall be computed and billed by City Utilities. Bills shall be rendered monthly, approximately every 30 days, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings, or is otherwise required to adjust billing cycles.

b) Billings for sewer service shall be rendered with and shall be due and payable on the same due date as billings for water service to the same premises, if any. If none, then within such billing cycle as City Utilities may determine.

c) Bills shall be rendered monthly. If a bill is not paid on or before the due date indicated on the bill (approximately 15 days after the bill is mailed to the customer), the bill shall be considered delinquent. Should this remain delinquent for a period of 25 days, service may be terminated by City Utilities.

The rates, charges, penalties and surcharges set out herein and/or as fixed in Chapter 51 of the Fort Wayne Code of Ordinances, shall extend to and cover any additional premises hereafter served, without hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the charges

for sewer service for such billing shall be made in accordance with the Fort Wayne Water Utility Rules and Regulations.

d) Charges for sewer service shall be billed to the person being billed for water service, if any, unless, by contract with City Utilities, another person assumes responsibility for payment. In all other cases, sewer service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest and court costs, if any.

e) The owner of the real estate shall, upon request to the City Utilities Customer Relations Department, have the right to examine the City Utilities' records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.

f) Nothing herein contained shall permit the owner, or any person other than the person being billed, to inspect, examine or otherwise obtain confidential information including the income, employment, finances or social security number of the person being billed.

g) Charges for sewer service levied pursuant to Chapter 51 of the Fort Wayne Code of Ordinances, shall be due and payable on or before the due date stated on the bill. Further, a delinquent sewer bill may be collected with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with Chapter 51 of the Fort Wayne Code of Ordinances and with Indiana Code Sections 36-9-23-31 through 36-9-23-34.

h) Sewer billing shall commence with the billing for water service, the meter set date or date of occupancy whichever shall first occur.

i) In the event the sewer user is not a metered Fort Wayne City Utilities water customer, charges shall be imposed and charged as follows:

1) Residential -In the event the sewer customer is served by a well or otherwise does not receive water through metered service, that user shall be billed flat charges as established for in-city or outof-city service in Chapter 51 of the Fort Wayne Code of Ordinances; multi-family dwellings shall be billed at the appropriate flat rate multiplied by the number of units accommodated.

However, if the sewer user is a metered customer of another utility, City Utilities shall bill that user according to its metered water consumption. Readings obtained by City Utilities for such purpose shall be presumed to be correct so long as readings from said meter are accepted as accurate for water billing purposed by the utility supplying the water and the customer.

2) Metered Water (Commercial, Industrial, Institutional and Governmental) - If the sewer user is a metered customer of another utility, City Utilities shall bill that user according to its metered water consumption. Readings obtained by City Utilities for such purpose shall be presumed to be correct so long as readings from said meter are accepted as accurate for water billing purposes by the utility supplying the water and the customer.

3) Unmetered Water (Commercial, Industrial, Institutional and Governmental) -Customers with an unmetered water source shall be required to install a water or sewage meter as determined by the Director. All required meters shall be installed according to City Utilities' specifications, and the cost of installation, calibration and maintenance shall be the sole responsibility of the owner. The meter shall be used for billing purposes after it has been calibrated and accepted by City Utilities. The customer shall provide access to said water or sewage meter for the purpose of billing for sewer service.

4) City Utilities shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by City Utilities at any time. However, no adjustments, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

j) Any property found to be connected to a public sewer for the discharge of sewage without payment shall be placed on monthly billings immediately, and the user of the service shall be back-billed for the period of use either at the metered use charge or the monthly flat charge set out in Chapter 51 of the Fort Wayne Code of Ordinances.

B. Delinquencies

a) A penalty of ten (10%) percent of the amount of the charges for sewer service shall be attached to the current delinquent charges.

b) Where the property having a delinquent account for charges for sewer service is served by the City's Water Utility, City Utilities may, after reasonable notice to the person being billed, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

c) Delinquent charges for sewer services and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-923-32 and 36-9-23-33.

d) In addition to all other remedies provided, the City Utilities may disconnect sewer service to the property. Sewer service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

e) In addition to the foregoing remedies, City Utilities may file a civil action to recover the amount of the charges for sewer services penalties, and a reasonable attorney's fee, and may foreclose liens established by Chapter 51 of the Fort Wayne Code of Ordinances and in accordance with Indiana Code 36-9-23-34 when the delinquent party is the property owner.

15. **ENFORCEMENT**

A. In accordance with Chapter 51, Section 51.111 of the Fort Wayne Code of Ordinances, the power to enforce the provisions of Chapter 51 not specifically dealt with elsewhere shall be vested in the Director, and such deputies, with the approval of the Board of Public Works, as may be appointed for such purposes.

B. Whenever said Director or any such deputy shall deem it appropriate to charge any person with a violation(s) of Chapter 51, a Notice of Violation and/or Summons may be issued to such person which

shall be processed according to the provisions of Indiana Code (34-28-5-1). As an alternative, the Director may employ administrative remedies in accordance with Indiana Code 36-1-6-9 and the Fort Wayne Code of Ordinances.

16. ENFORCEMENT PROCEDURE

A. It shall be the policy of City Utilities to enforce the provisions of Chapter 51 in accordance with Section 51.111 of the Fort Wayne Code of Ordinances. However, contractually specified enforcement procedures where City Utilities is a party to the contract and which conflict with any portion of Section 51.111, shall take precedence over the conflicting portion of said Section.

B. Specific enforcement responses by the City are more fully set out in the City's Enforcement Response Plan, which is specifically incorporated into each Industrial Waste Discharge Permit and into these Rules and Regulations by reference.

C. All actions taken by City Utilities requiring a response by the user shall be made in writing and sent by certified mail to ensure receipt by the user.

17. RIGHT OF APPEAL

A. Any party aggrieved by an order or determination of the Water Pollution Control (Wastewater) Utility other than a billing and payment issue may, within fifteen (15) days after receipt of a Notice informing such party of the decision or order, appeal such decision or order to the Board of Public Works or its designated hearing officer by filing a petition seeking such appeal with the Clerk of the Board of Public Works stating the basis of such appeal, including the alleged error in the decision or order. After receipt of such petition, the Board of Pubic Works or its designated hearing officer, after due and proper notice to all parties, shall hold a hearing on said petition and at the conclusion thereof or within thirty (30) days thereafter, enter a decision either affirming, denying, revising, amending, altering, or modifying such decision or order as the Board of Public Works,

by majority vote, shall so rule. A party or person aggrieved by the Board of Public Works shall have the right to judicial review of such determination in accord with and pursuant to the same provision of the Indiana Administrative Adjudication Act (4-21.51-1 et seq.) as are applicable to appeals and review of decisions of agencies of the State of Indiana.

B. Any person aggrieved by any charge or billing determination by City Utilities may request and shall be granted an Administrative Appeal. Disputing the accuracy of a bill shall not be a valid reason for non-payment or partial payment of a bill by the customers, and shall not stay the accrual of finance charges on the delinquency. The customer may pay a bill under protest, giving written notice that an appeal is being sought. Such written notices must be filed with the Manager of the City Utilities Customer Relations Department prior to the due date of the bill.

The customer shall first discuss the determination with a Supervisor. If the dispute is not resolved to the customer's satisfaction, the facts concerning the dispute shall be reduced to writing by the customer. The customer and City Utilities may submit, in writing, any information they deem appropriate, to the Director, or a designated hearing officer who shall conduct, as soon as practicable, an informal hearing to determine and resolve the dispute. The Determination by such hearing officer shall be final and shall constitute the final administrative determination pursuant to IC 4-21.5-1-1 et seq.

18. PRESENT RULES SUPERSEDE PRIOR RULES

All rules and regulations heretofore promulgated by the Water Pollution Control (Wastewater) Utility governing the service supplied by the Utility are superseded and replaced by the foregoing Rules and Regulations of the Water Pollution Control (Wastewater) Utility and/or other specifications, rules and regulations referred to herein and made a part hereof.

19. REMEDIES NOT EXCLUSIVE

The remedies provided to the Water Pollution Control (Wastewater) Utility by these Rules and Regulations shall not be exclusive and shall be in addition to all other remedies which the Water Pollution Control (Wastewater) Utility has in law or equity.

20. AMENDMENTS AND REVISIONS

The Board of Public Works of the City of Fort Wayne, Indiana, reserves the right, by appropriate action, to amend, modify, delete, change or otherwise revise these Rules and Regulations as it may deem, from time to time, to be desirable and/or necessary.

APPROVED by the Board of Public Works in its regular meeting, May 15,2002.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Ted Rhinehart, Chairman

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:

Carolyn S. Newport, Clerk

RESOLUTION NO. 89-103-27
POLICY CONCERNING COST OF BUILDING SEWER OR TAP REPAIR

WHEREAS, private building sewers, including the tap to the public sewer main, are the responsibility of the owner of the property served to maintain and repair; and

WHEREAS, a broken building sewer or tap may cause damage to the public sewer system or to a street, alley or other surface improvement in the public right of way and become a general detriment to the public; and

WHEREAS, the depth, location and size of the public sewer may have a significant impact on the cost of repairing a building sewer and/or tap; and

WHEREAS, the portion of the building sewer or tap that is most costly to repair is typically the portion within 20 feet of the public sewer main or the portion within the public right of way; and

WHEREAS, the cost of repairing this portion of the building sewer or tap typically exceeds $3,700.00; and

WHEREAS, The Board of Public Works has previously passed a Resolution No. 80-165-5, which initially addressed the subject of this Resolution; and

WHEREAS, The Board of Public Works desires to revise said Resolution No. 80-165-5 and to establish this policy under which the City and the property owner may share in the cost for repairing that portion of the building sewer most affected by main depth, location and size in those circumstances where the cost exceeds the typical price. Further, the Board of Public Works wishes to provide the property owner with a financing mechanism for its share of the cost when the owner meets the guidelines contained in this policy.

NOW THEREFORE, be it resolved by the Board of Public Works of the City of Fort Wayne, Indiana that:

1. This policy shall only apply to building sewers and taps serving residential properties. A residential property is defined in the City of Fort Wayne, Indiana Code of Ordinances 51.050 (A) (12) as "a building used as a one or two-family dwelling."

2. If the repair is located within 20 feet of the public sewer main or within the public right of way,

and the cost of the repair exceeds $3,700.00, the property owner's share of the cost may be capped at $3,700.00 and Fort Wayne City Utilities shall pay the balance of the cost if all other requirements of this policy are met.

3. The cost of the repair undertaken by the property owner shall be documented by a submittal of three written quotes from licensed sewer tap contractors. The Water Pollution Control Maintenance Department (WPCM) shall review quotes. If the WPCM staff determines all quotes are unreasonably high, City Utilities may request quotes from three additional firms. If the WPCM staff finds that the quotes do not represent a fair price for the work, an outside engineering firm may be retained by City Utilities to review the quotes and/or prepare an estimate of the cost of the repair work.

   City Utilities shall pay only the documented amount that is in excess of the $3,700 cap but shall not pay more than the difference between $3,700 and the total cost shown in the lowest quote. If the estimate by an outside engineering firm retained by City Utilities is determined to be the fair price for the work, City Utilities shall pay only the difference between the $3,700 cap and the total amount for the work determined by the outside engineering firm to be reasonable.

4. In order to be considered for the cost share program, the property owner or contractor must notify the Water Pollution Control Maintenance Department of a tap problem before any excavation or repair work is undertaken.

5. WPCM shall determine if the disrepair is causing damage to the public sewer system or to a surface improvement. If no damage is resulting to the public sewer system or to a public surface improvement, and if the disrepair is located more than 20 feet from the public sewer main or is outside the public right of way, Fort Wayne City Utilities is under no obligation to participate in a repair and the property owner is not eligible for a cost share under this policy.

6. The WPCM Department shall have the authority to order property owners to make repairs to a building sewer or tap when it has been determined by WPCM that the disrepair has a detrimental effect on the

public sewer system or is causing damage to street, alley or other surface improvement. Such order shall be sent to the property owner by certified-mail, return receipt requested.

7. If the property owner fails to make the necessary repair within ten (10) days of an order to do so, or if WPCM determines that an emergency exists because of damage to the public sewer system or damage to street, alley or other surface improvement, WPCM shall make the repair or have the repair made after notifying the property owner in writing of the decision to do so. Such notification will be sent to the property owner by certified-mail, return receipt requested.

8. If WPCM makes the repair or has the repair made, City Utilities shall have the authority to charge the property owner for the first $3,700.00 toward the total cost of the repair. The property owner shall pay to City Utilities its share of the cost of the building sewer or tap repairs within 30-days.

9. The property owner may apply to have its share financed over a period of time if the following guidelines are met:

   A. The property owner's income can be documented to be at or below 100% of median household income as established by the U.S. Department of Housing and Urban Development;

   B. The property owner has not had service by City Utilities discontinued for non-payment at the repair address or any other address in past two (2) years;

   C. Housing and Neighborhood Development Services (HANDS) has approved and works with the property owner on a suggested repayment schedule. In no case shall repayment be extended over a period of longer than 36 months.

10. The financing program shall be administered by HANDS based on application of the guidelines in Section 9 of this policy. HANDS will review each application and make a recommendation to Fort Wayne City Utilities on eligibility, creditworthiness, and suggested repayment schedule. Appeal of the recommendation from HANDS shall be made to the

Associate Director of Finance - Fort Wayne City Utilities.

This Resolution represents a revision of Resolution 80-165-5, and shall supersede and replace the previous Resolution on the effective date of this document.

Adopted this 3rd day of April , 2002 and effective on June 1, 2002.

BOARD OF PUBLIC WORKS

By: _____

Ted Rhinehart, Chair

By: _____

John Suarez, Member

By: _____

Lin Wilson, Member

ATTEST

_____

Carolyn S. Newport, Clerk

A RESOLUTION AMENDING THE GENERAL RULES AND REGULATIONS OF THE FORT WAYNE WATER POLLUTION CONTROL UTILITY BY THE BOARD OF PUBLIC WORKS CITY OF FORT WAYNE, INDIANA

WHEREAS, recently a meeting was held with members of the general public concerning the accuracy and meaning of the wording in the Regulations of the Fort Wayne Water Pollution Control Utility ("regulations"); and

WHEREAS, after said meeting the staff conducted a review of said regulations and have determined that clarification was needed with regard to the necessity of recordation to validate a "contract purchaser;" and

WHEREAS, staff recommend that the definition of "Owner" on page 7 of said regulations be amended as follows:

""**OWNER**" - Designates the person holding the deed or record title to a premesis. For the purposes of these Rules and Regulations, a contract purchaser is ~~not~~ considered an owner **of an equitable interest in the subject real estate** ~~unless the contract has been duly recorded in the Allen County Recorder's Office~~. **Recordation of said contract is not necessary to validate said interest."**

NOW, THEREFORE, THE BOARD OF PUBLIC WORKS HEREBY AMENDS THE GENERAL RULES AND REGULATIONS OF THE FORT WAYNE WATER POLLUTION CONTROL UTILITY AS FOLLOWS:

(Pg. 7)

""**OWNER**" - Designates the person holding the deed or record title to a premesis. For the purposes of these Rules and Regulations, a contract purchaser is considered an owner of an equitable interest in the subject real estate. Recordation of said contract is not necessary to validate said interest."

SECTION 2. This amendment to the General Rules

and Regulations shall be effective as of the 4th day of December , 2002.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY:

Ted Rhinehart, Director

John Suarez, Member

Denise Porter-Ross, Member

ATTEST:
Carolyn S. Newport, Clerk

~~Signed~~ Adopted the 1st day of February, 2012.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY:

Robert P Kennedy Jr.
Robert P. Kennedy, ~~Director~~ Chairman

John Suarez
John Suarez, Member

Kumar Menon
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: January 11, 2012

RE: 2006 Water SRF (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$132,310.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program interest. These expenses are for the Northwest Feeder Main Ph 4 project, the Plant 3 Flocculator Improvement Ph 2 project and the Lime Sludge Pumping & Draw-Off Control improvement project.

Draw #464	GAI Consultants	$ 1,628.00
Draw #465	Mason Engineering & Construction	113,962.00
Draw #466	Robert E. Crosby Inc.	16,720.00
	Total Payments	**$132,310.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

February 1, 2012
Date

TO: Victoria Guerrero - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: January 10, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B payments** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$135,747.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Northwest Pressure Zone Pumping improvements and the 3RFP Disinfection improvements.

Draw #43	HNTB	$ 22,872.00
Draw #44	Calgon Carbon Corp.	50,000.00
Draw #45	Black & Veatch Corp.	62,875.00
	Total Payments	$135,747.00

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

February 1, 2012
Date

CITIZENS SQUARE ELEVATOR MODERNIZATION
RESOLUTION NO. 99-2-8-12-1

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Modernization of six Elevators at Citizens Square located at **200 E. Berry Street.**

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **CITIZENS SQUARE ELEVATOR MODINIZATION.**

Declares the cost of the said improvements shall be paid by Fund 208CTIF4-5454.

This project will involve the modernization of controls, motor drives, motors, cab safety devices, communications, security, and other improvements for both mechanical and electrical reliability by replacement of components as per the specifications. The project seeks to accomplish all work sequentially on the six elevators in Citizens Square by about April 30, 2013.

Declares the engineer's estimate of the project's total cost is $ 902,000.00.

APPROVED THIS 8th DAY OF February, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria Edwards, Clerk

Rothman Lift Station Odor Control
RESOLUTION 0002-2011

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

To control odors emitting from the lift station caused by hydrogen sulfide by installing an odor control unit next to the wet well to control the foul air emissions.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled,

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $ 106,075.00.

APPROVED THIS 15th DAY OF February, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria Edwards, Clerk

St. Joseph/Beckett Run Equalization Facility
RESOLUTION NO. 0006-2012

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Construction of a pump-in/gravity-out sanitary sewage equalization facility consisting of a diversion structure, lift station, 30" diameter forcemain, two 3.4 MG concrete tanks with mixing systems, electrical building, two mixing buildings, and a permanent standby generator.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, St. Joseph/Beckett Run Equalization Facility

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility 2011 Revenue Bond

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $13,500,000.

APPROVED THIS 15th DAY OF February, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

Croninger Elementary/ Bunche Montessori Schools Stormwater Improvements and Rain Gardens
WORK ORDER NO. 75610

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of two demonstration rain gardens. One rain garden will be installed at Croninger Elementary School and one rain garden will be installed at Bunche Montessori School.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Croninger Elementary/ Bunche Montessori Schools Stormwater Improvements and Rain Gardens.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Storm Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $160,000.00.

APPROVED THIS 22nd DAY OF February, 2012.

Board of Public Works

BY: _____
Robert P. Kennedy, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

A RESOLUTION approving the sale of real estate owned by the City of Fort Wayne.

Resolution # 99-2-22-12-1

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of property located in Fort Wayne, Indiana and more particularly described on EXHIBT A attached.

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for a portion of this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to sell the above-named property, following all applicable state statutes.

Signed this 22nd day of February, 2012.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Robert P. Kennedy, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Victoria Edwards

EXHIBIT A

West 15 Feet of Lot 8 and East 15 Feet of Lot 9 in Tompkins Addition to the City of Fort Wayne, commonly known as 1015 E. Wayne Street

Lot 30 in DeVilbiss 1st Addition to the City of Fort Wayne, commonly known as 3014 Holton Avenue

West 30 1/3 Feet South of the 5th Street of Hanna's Out Lot Number 1 in the Northwest one Quarter of Section 2, Township 30 North, Range 12 East in the City of Fort Wayne, Indiana, according to the plat thereof, commonly known as 605 Fifth Street

West 1/2 Lot 9 Boltz Addition to the City of Fort Wayne, commonly known as 815 W Fourth Street

East 20 Feet Lot 711 and West 13 Feet Lot 712 Hanna's Addition to the City of Fort Wayne, commonly known as 807 Wilt Street

West 30 Feet of East 72 Feet if the South 150 Feet of Lot No. 13, Dewald Square Addition to the City of Fort Wayne, commonly known as 459 E. Creighton Avenue

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: February 24, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$453,684.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the Snider/Glenwood Sewer Separation project, the LTCP Program Management project, the CSSCIP Planning and Design project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the Downtown Stormwater/Sewer Master Plan project, the WPCP Digester Electrical Building & Structural Upgrades project, the Hydraulic Modeling Assistance project, the CSO Outfall 52 Satellite Disinfection Preliminary Study and the WPCP Digester Gas Handling Improvements project.

Draw #340	URS Corp.	$ 2,531.00
Draw #341	Tetra Tech Inc.	3,555.00
Draw #342 & #344	Donohue & Assoc.	15,997.00
Draw #343 & #350	GAI Consultants	34,058.00
Draw #345 & #351	Malcolm Pirnie/Arcadis	253,887.00
Draw #346	Clark Dietz Inc.	24,833.00
Draw #347	D L Z	24,571.00
Draw #348	V S Engineering Inc.	78,872.00
Draw #349	CH2M Hill	15,380.00
	Total Payments	**$453,684.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

February 29, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: February 20, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$343,743.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration Blower Ph 2 project, the LTCP Program Management project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project and the WPCP Digester Gas Structural & Electrical Building project.

Draw #336	CH2M Hill	$120,565.00
Draw #337	Hagerman Inc. & Star Financial Bank	131,037.00
Draw #338 & #339	Robert E. Crosby	92,141.00
	Total Payments	**$343,743.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

February 29, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: February 27, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payment with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payment in the amount of **$45,007.00.** This payment will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. This expense is for the General CIPP 2010 Small Diameter Package #3 project.

Draw #352	Insituform Technologies USA, Inc.	**$45,007.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

March 7, 2012

Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: February 27, 2012

RE: 2009 Sewer SRF – Series A (STATE REVOLVING FUNDS) – **2009 ARRA**

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$191,430.00.** These payments will be made with the 2009 Sewage Works State Revolving Fund Loan Program Series A (ARRA). These expenses are for the Woodrow Vance Phase 1 project.

Draw #73	All Star Construction & Excavating and Lake City Bank	**$191,430.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

March 7, 2012
Date

IMPROVEMENT RESOLUTION NO. 7351-12
HARRISON COLLEGE ENTRANCE
WORK ORDER NO. 3781N

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Clinton St. by constructing a 12' wide concrete left turn lane for North bound Clinton Street from Bethany Ln. to Harrison College, lineal grading, relocating street lights, & restoration…

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 14th day of March, 2012

BOARD OF PUBLIC WORKS

Robert Kennedy, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: HARRISON COLLEGE ENTRANCE

RES. NO.: 7351-12
W.O. NO.: 3781N

TOTAL BID AMT: _____

required completion date May 25,2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	MOBILIZATION & DEMOBILIZATION	1	LS		
2	MAINTENANCE OF TRAFFIC	1	LS		
3	COMMON EXCAVATION	550	CY		
4	CEMENT CONCRETE PAVEMENT, PLAIN, (9") (INCLUDING J BOLTS)	1030	SY		
5	TYPE "O" COMPACTED AGGREGATE NO. 53 FOR BASE AND SHOULDER	260	TON		
6	LINEAL GRADING AND SHAPING	4	STA		
7	ADJUST CASTING TO GRADE	1	EA		
8	TOP SOIL	80	TON		
9	HYDROSEEDING, WITH TACK ADDITIVE, FOR EROSION AND SEDIMENT CONTROL (ADDITIVE TO BE FINN ADDITIVE SYSTEM	1000	SY		
10	TYPE III BARRICADE WITH SIGN	4	EA		
11	CONSTRUCTION SIGNS, TYPE A	5	EA		
12	FLASHING ARROW SIGN	20	DAYS		
13	LINE, PAINT, SOLID, WHITE 4"	370	LF		
14	LINE, PAINT, SOLID, YELLOW 4"	755	LF		
15	PAVEMENT MARKING, "ONLY", WHITE, PAINT	3	EA		
16	PAVEMENT MARKING, "LEFT ARROW", WHITE, PAINT	3	EA		
17	30" x30" INLET AND 30" x 30" BEEHIVE GRATE, FURNISHED AND ADJUSTED TO GRADE	1	EA		
18	METAL END SECTION, 15", WITH RIP-RAP AND GEO-TEXTILE	1	LS		
19	EXISTING POLE, MAST ARM, AND LUMINAIRE, RELOCATE	4	EA		
20	CONCRETE BASE, REMOVE AND DISPOSE	4	EA		
21	CONCRETE BASE, 24" X 96", IN PLACE	4	EA		
22	BORE TUBE, EXTEND AND CONNECT TO EXISTING	100	LF		
23	3C/6 THHWN WIRE, IN EXISTING AND/ OR NEW BORE TUBE OR CONDUIT	911	LF		
24	3C/6 THHWN WIRE, IN POLES	40	LF		
25	INLET PROTECTION DEVICES FOR STORMWATER AND EROSION CONTROL	3	EA		
26	WORK ALLOWANCE	1	LS		

ESTIMATE OF QUANTITIES

RES. NO.: 7351-12
W.O. NO.: 3781N

proj: HARRISON COLLEGE ENTRANCE

Bid Estimate: $78,745.00
estimated e&i: $19,686.25
Total estimate: $98,431.25

Date:

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	MOBILIZATION & DEMOBILIZATION	1	LS	$3,500.00	$3,500.00
2	MAINTENANCE OF TRAFFIC	1	LS	$4,000.00	$4,000.00
3	COMMON EXCAVATION	550	CY	$10.00	$5,500.00
4	CEMENT CONCRETE PAVEMENT, PLAIN, (9") (INCLUDING J BOLTS)	1030	SY	$32.00	$32,960.00
5	TYPE "O" COMPACTED AGGREGATE NO. 53 FOR BASE AND SHOULDER	260	TON	$18.00	$4,680.00
6	LINEAL GRADING AND SHAPING	4	STA	$500.00	$2,000.00
7	ADJUST CASTING TO GRADE	1	EA	$300.00	$300.00
8	TOP SOIL	80	TON	$18.00	$1,440.00
9	HYDROSEEDING, WITH TACK ADDITIVE, FOR EROSION AND SEDIMENT CONTROL (ADDITIVE TO BE FINN ADDITIVE SYSTEM "E-TACK" OR	1000	SY	$3.00	$3,000.00
10	TYPE III BARRICADE WITH SIGN	4	EA	$125.00	$500.00
11	CONSTRUCTION SIGNS, TYPE A	5	EA	$70.00	$350.00
12	FLASHING ARROW SIGN	20	DAYS	$25.00	$500.00
13	LINE, PAINT, SOLID, WHITE 4"	370	LF	$1.00	$370.00
14	LINE, PAINT, SOLID, YELLOW 4"	755	LF	$1.00	$755.00
15	PAVEMENT MARKING, "ONLY", WHITE, PAINT	3	EA	$75.00	$225.00
16	PAVEMENT MARKING, "LEFT ARROW", WHITE, PAINT	3	EA	$90.00	$270.00
17	30" x30" INLET AND 30" x 30" BEEHIVE GRATE, FURNISHED AND ADJUSTED TO GRADE	1	EA	$1,200.00	$1,200.00
18	METAL END SECTION, 15", WITH RIP-RAP AND GEO-TEXTILE	1	LS	$500.00	$500.00
19	EXISTING POLE, MAST ARM, AND LUMINAIRE, RELOCATE	4	EA	$400.00	$1,600.00
20	CONCRETE BASE, REMOVE AND DISPOSE	4	EA	$650.00	$2,600.00
21	CONCRETE BASE, 24" X 96", IN PLACE	4	EA	$1,000.00	$4,000.00
22	BORE TUBE, EXTEND AND CONNECT TO EXISTING	100	LF	$10.00	$1,000.00
23	3C/6 THHWN WIRE, IN EXISTING AND/ OR NEW BORE TUBE OR CONDUIT	911	LF	$5.00	$4,555.00
24	3C/6 THHWN WIRE, IN POLES	40	LF	$3.50	$140.00
25	INLET PROTECTION DEVICES FOR STORMWATER AND EROSION CONTROL	3	EA	$100.00	$300.00
26	WORK ALLOWANCE	1	LS	$2,500.00	$2,500.00

Rain Garden Planting Contract
WORK ORDER NO. 83144

RESOLUTION BY THE BOARD OF STORMWATER MANAGEMENT of the City of Fort Wayne, Indiana that:

Orders the planting of seven demonstration rain gardens. The seven rain gardens to be planted are at the following locations Blackhawk Middle School, Blackhawk Christian School, Bunche Montessori School, Croninger Elementary School, Imagine Schools, Science Central and Maplewood Mennonite Church.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Rain Garden Planting Contract.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Storm Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $35,000.00.

APPROVED THIS 21st DAY OF March, 2012.

Board of Stormwater Management

BY: _____
Robert P. Kennedy, Chair

BY: _____
John Suarez, Member

BY: _____
Matthew Wirtz, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

Recycle Cart Purchase Order Increase

RESOLUTION #99-3-21-12-1

The Solid Waste Dept. is requesting approval to increase its purchase order for recycling carts with Toter, Inc. by $345,000, bringing the total purchase order to $423,640.00.

Through continued promotion of the program, we feel the participation rate will increase to 80% by the end of 2012, which accounts for the purchase of 6,390 additional recycle carts. This added participation will decrease the amount of money the City pays in waste disposal costs at the landfill, while at the same time increasing the amount of revenue the City will receive from the commodities recycled keeping solid waste collection rates low.

In addition, the City Recycling Collection Contracts state the City will provide these carts to residents for collection purposes and must abide by the Collection Contract.

BOARD OF PUBLIC WORKS

Robert P. Kennedy, Chairman

Kumar Menon, Member

John Suarez, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: March 14, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursement** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$60,060.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station Improvements and the WPCP Headworks Biotrickling Filter project.

Draw #24	Fleis & Vandenbrink Engineering Inc.	$ 8,155.00
Draw #25	Donohue & Assoc.	39,682.00
Draw #26	City Utilities – City of Ft. Wayne Municipal Sewage Works	12,223.00
	Total Payments	**$ 60,060.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

March 21, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: March 15, 2012

RE: 2006 Water SRF (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$4,525.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program interest. These expenses are for the Northwest Feeder Main Ph 4 project, the Plant 3 Flocculator Improvement Ph 2 project and the Anthony Wayne/ Mount Vernon Village Ph 2 project.

Draw #467 & #468	City Utilities – Fort Wayne Municipal Waterworks	$4,525.00

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

March 21, 2012
Date

TO: Victoria Guerrero - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: March 14, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$806,112.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Westside Pump Station & West Side Tank project, the Northwest Pressure Zone Pumping Improvements project and the 3RFP UV Disinfection Improvement project.

Draw #46	Kendal Electric Inc.	$ 9,614.00
Draw #47	D L Z	550.00
Draw #48	Bingham McHale LLP	24,172.00
Draw #49	HD Supply Waterworks	52,868.00
Draw #50	H N T B	5,094.00
Draw #51	CH2M Hill	15,832.00
Draw #52	Kokosing Construction Co.	697,982.00
	Total	**$806,112.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

March 21, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: March 9, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B payments** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$983,012.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for issuance costs, the WPCP Combined Sewage Pump Station & Pond Improvements project, the First Flush Bleedback project and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw #1	H J Umbaugh	$ 48,500.00
Draw #2	Ice Miller LLP	20,568.00
Draw #14	Donohue & Assoc.	13,529.00
Draw #15	Insituform Technologies & 5th Third Bank	412,196.00
Draw #16	GAI Consultants	5,872.00
Draw #17	American Cast Iron Pipe Co.	257,535.00
Draw #18	Engineering Technologies	19,175.00
Draw #19	American Structurepoint Inc.	13,602.00
Draw #20	Spectrum Engineering	22,046.00
Draw #21, #22 & #23	City Utilities – City of Ft. Wayne Municipal Sewage Works	169,989.00
	Total Payments	$983,012.00

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

March 21, 2012
Date

IMPROVEMENT RESOLUTION NO. 12278

THORNWOOD COURT
WORK ORDER NO. 12278

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Thornwood Court by reconstruction of the deteriorated concrete street, replace castings, install subsurface drains and restoration of topsoil and grass.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 26th day of March, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID
CONTRACTOR:

proj: Thornwood Court

RES. NO.: 12278
W.O. NO.: 12278

TOTAL BID AMT: _____

required completion date: June 30th, 2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____

Bid Date: **Contractors Signature**

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement - includes Type "I-A" Curb	955	SY		
2	Removal of Concrete	25	SY		
3	Cement Concrete Pavement, Plain, 7 inches, Class A - Includes Type "I-A" Curb	955	SY		
4	Cement Concrete Pavement for Residential Drive (6"), Undistributed	25	SY		
5	Coarse Aggregate, No. 8, (140#/cf) for Base	290	TON		
6	2' x 2' Curb and Gutter Casting	2	EA		
7	Underdrain, 6" Perforated Plastic, Group "K" - Stone Quantity included in Coarse Aggregate Item	540	LF		
8	Bed Coarse Material	5.5	TON		
9	Adjust Water Valve Box to Grade (Undistributed)	1	EA		
10	Water Valve Box - Installed (Undistributed)	1	EA		
11	Tree Fertilize	1	EA		
12	Top Soil	64	TON		
13	Hydroseed with Hydrostik or Equivalent Polymer for Erosion Control	240	SY		
14	Common Excavation (Undistributed)	50	CY		
15	Work Allowance	1	As Needed	$2,000.00	
16	Geogrid, TX140 or approved equal (Undistributed) - Includes Common Excavation and Bed Coarse Backfill	250	SY		
17	Inlet Protection Device for Stormwater and Erosion Control	2	EA		
18	Mobilization and Demobilization	1	LS		
19	Maintenance of Traffic	1	LS		
20	Type III Barricade	4	EA		
21	Type "A" Signs	2	EA		

ESTIMATE OF QUANTITIES

RES. NO.: 12278
W.O. NO.: 12278

proj: Thornwood Court

Bid Estimate:	$54,946.75
estimated e&I:	$20,745.00
Total estimate:	$75,691.75

Date: 3/22/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement - includes Type "I-A" Curb	955	SY	$5.50	$5,252.50
2	Removal of Concrete	25	SY	$5.25	$131.25
3	Cement Concrete Pavement, Plain, 7 inches, Class A - Includes Type "I-A" Curb	955	SY	$29.00	$27,695.00
4	Cement Concrete Pavement for Residential Drive (6"), Undistributed	25	SY	$29.00	$725.00
5	Coarse Aggregate, No. 8, (140#/cf) for Base	290	TON	$14.00	$4,060.00
6	2' x 2' Curb and Gutter Casting	2	EA	$450.00	$900.00
7	Underdrain, 6" Perforated Plastic, Group "K" - Stone Quantity included in Coarse Aggregate Item	540	LF	$5.00	$2,700.00
8	Bed Coarse Material	5.5	TON	$14.00	$77.00
9	Adjust Water Valve Box to Grade (Undistributed)	1	EA	$25.00	$25.00
10	Water Valve Box - Installed (Undistributed)	1	EA	$50.00	$50.00
11	Tree Fertilize	1	EA	$65.00	$65.00
12	Top Soil	64	TON	$14.00	$896.00
13	Hydroseed with Hydrostik or Equivalent Polymer for Erosion Control	240	SY	$2.00	$480.00
14	Common Excavation (Undistributed)	50	CY	$10.00	$500.00
15	Work Allowance	1	As Needed	$2,000.00	$2,000.00
16	Geogrid, TX140 or approved equal (Undistributed) - Includes Common Excavation and Bed Coarse Backfill	250	SY	$6.00	$1,500.00
17	Inlet Protection Device for Stormwater and Erosion Control	2	EA	$50.00	$100.00
18	Mobilization and Demobilization	1	LS	$3,500.00	$3,500.00
19	Maintenance of Traffic	1	LS	$3,750.00	$3,750.00
20	Type III Barricade	4	EA	$100.00	$400.00
21	Type "A" Signs	2	EA	$70.00	$140.00

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: March 19, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$255,916.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station project and the WPCP Biotrickling Filter project.

Draw #27	American Cast Iron Pipe Co.	$182,534.00
Draw #28	Mason Engineering & Construction	73,382.00
	Total Payments	**$255,916.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

March 28, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: March 23, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$181,762.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the Snider/Glenwood Sewer Separation project, the LTCP Program Management project, the CSSCIP Planning and Design project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project and the CSO Outfall 52 Satellite Disinfection Preliminary Study.

Draw #356	Clark Dietz Inc.	$ 23,921.00
Draw #357	Donohue & Assoc.	5,994.00
Draw #358	CH2M Hill	22,422.00
Draw #359	Malcolm Pirnie/Arcadis	108,265.00
Draw #360	D L Z	12,654.00
Draw #361	URS Corp.	3,436.00
Draw #362	Tetra Tech Inc.	5,070.00
	Total Payments	**$181,762.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

March 28, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: March 19, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$278,474.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project and the WPCP Digester Electrical Building & Structural Upgrades project.

Draw #353 & #355	Robert E.Crosby	$142,953.00
Draw #354	Hagerman Inc. & Star Financial Bank	135,521.00
	Total Payments	**$278,474.00**

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

March 28, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: March 27, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$2,255,342.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw #29	Weigand Construction Co. and Lake City Bank	$1,188,688.00
Draw #30	American Cast Iron Co.	73,883.00
Draw #31	All Phase Electric Supply Co.	40,000.00
Draw #32	Insituform Technologies & 5th Third Bank	847,942.00
Draw #33	American Structurepoint Inc.	16,647.00
Draw #34, #35 & #36	CH2M Hill Inc.	86,282.00
Draw #37	Hometown Engineering LLC	1,560.00
Draw #38	City Utilities – City of Ft. Wayne Municipal Sewage Works	340.00
	Total Payments	$2,255,342.00

Robert P. Kennedy, Chairman

John Suarez, Member

Kumar Menon, Member

John Urbahns, Member

Date: April 4, 2012

IMPROVEMENT RESOLUTION NO. 12294

2012 – VICTORIA PARK NEIGHBORHOOD CONCRETE STREET REPAIRS WORK ORDER NO. 12294

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

VICTORIA PARK NEIGHORHOOD, DERBYSHIRE DRIVE FROM MONTFORD DRIVE TO 161 FEET NORTH, AND MONTFORD DRIVE FROM SALISBURY DRIVE TO 100 FEET WEST OF DERBYSHIRE DRIVE, BY RECONSTRUCTION OF THE CONCRETE ROADWAY, I.E. PARTIAL CONCRETE PAVEMENT REPLACEMENT; WHICH INCLUDES INTREGAL CURBS, UNDER-DRAIN, CONCRETE CORNER WALK AND RAMPS, TOPSOIL AND HYDRO-SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 11th day of April, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

John Urbahns, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12294
W.O. NO.: 12294

proj: 2012 - Victoria Park Neighborhood Concrete Street Repairs

Bid Estimate: $88,626.00
estimated e&i: $6,374.00
Total estimate: $95,000.00

Date: 4/2/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS	$3,000.00	$3,000.00
2	Removal of Concrete Pavement	1670	SY	$6.00	$10,020.00
3	Removal of Concrete	55	SY	$6.00	$330.00
4	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	1670	SY	$27.25	$45,507.50
5	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	1050	LF	$6.50	$6,825.00
6	Concrete Wingwalk and Ramps (6")	90	SY	$40.00	$3,600.00
7	ADA Solutions; Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	6	EA	$200.00	$1,200.00
8	Concrete Sidewalk (4")	25	SY	$30.00	$750.00
9	Type "O" compacted Aggregate for Base No. 53	415	TN	$17.30	$7,179.50
10	Bed Course Material	35	TN	$20.00	$700.00
11	Backfill Behind Curb	55	TN	$1.00	$55.00
12	Top Soil	50	TN	$13.00	$650.00
13	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	700	SY	$1.80	$1,260.00
14	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	3	EA	$50.00	$150.00
15	1" Expansion Joint	27	LF	$7.00	$189.00
16	24" Manhole Frame & Cover, Furnish & Adjust To Grade	1	EA	$300.00	$300.00
17	2' x 2' Curb & Gutter Casting, Furnish & Adjust To Grade	3	EA	$325.00	$975.00
18	Water Valves (Curb-Box) Adjusted to Grade	8	EA	$40.00	$320.00
19	Water Valves (Valve-Box) Adjusted to Grade	3	EA	$75.00	$225.00
20	Construction Signs, Type A	2	EA	$50.00	$100.00
21	Construction Signs, Type A with Construction Warning Light Type A	2	EA	$75.00	$150.00
22	Standard Barricade, Type III-B	7	EA	$100.00	$700.00
23	Standard Barricade, Type III-B With Signs, Type B Construction	4	EA	$110.00	$440.00
24	Maintenance of Traffic	1	LS	$1,500.00	$1,500.00
25	Work Allowance	1	LS	$2,000.00	$2,000.00
26	Light Pole, Relocate	1	EA	$500.00	$500.00

BID

CONTRACTOR:

proj: 2012 - Victoria Park Neighborhood Concrete Street Repairs

RES. NO.: 12294
W.O. NO.: 12294

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 07/31/12

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS		
2	Removal of Concrete Pavement	1670	SY		
3	Removal of Concrete	55	SY		
4	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	1670	SY		
5	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	1050	LF		
6	Concrete Wingwalk and Ramps (6")	90	SY		
7	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	6	EA		
8	Concrete Sidewalk (4")	25	SY		
9	Type "O" compacted Aggregate for Base No. 53	415	TN		
10	Bed Course Material	35	TN		
11	Backfill Behind Curb	55	TN		
12	Top Soil	50	TN		
13	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	700	SY		
14	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	3	EA		
15	1" Expansion Joint	27	LF		
16	24" Manhole Frame & Cover, Furnish & Adjust To Grade	1	EA		
17	2' x 2' Curb & Gutter Casting, Furnish & Adjust To Grade	3	EA		
18	Water Valves (Curb-Box) Adjusted to Grade	8	EA		
19	Water Valves (Valve-Box) Adjusted to Grade	3	EA		
20	Construction Signs, Type A	2	EA		
21	Construction Signs, Type A with Construction Warning Light Type A	2	EA		
22	Standard Barricade, Type III-B	7	EA		
23	Standard Barricade, Type III-B With Signs, Type B Construction	4	EA		
24	Maintenance of Traffic	1	LS		
25	Work Allowance	1	LS	$2,000.00	
26	Light Pole, Relocate	1	EA		

EMERGENCY RESOLUTION NUMBER #94-4-11-12-1
4500 Maplecrest Road

WHEREAS, an existing 10"sanitary sewer is collapsing, at 4500 Maplecrest Road, and;

WHEREAS, said collapsing sewer could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the asbestos sanitary sewer is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Robinson Exc., Midwest Mole and All Star Exc. were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 11th day of April ,2012.

BOARD OF PUBLIC WORKS

By _____
Robert Kennedy, Chair

By _____
Kumar Menon, Member

By _____
John Urbahns, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

4500 MAPLECREST ROAD
SANITARY SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair bid shall meet the following conditions:

ITEM NO. 1

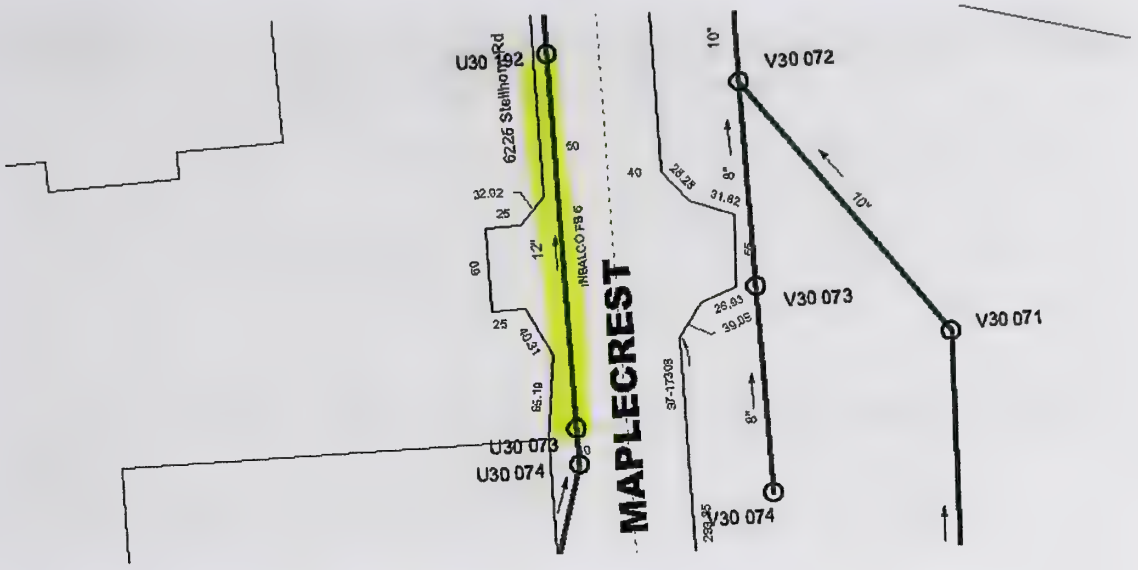
The Contractor shall install a new 10" HDPE sanitary sewer line in place of the failed asbestos cement sewer line via pipe bursting methods. Total footage is approximately 310 feet with one 6" tap from a bank.. The line is located in the south bound west curb side lane of the 4500 block of Maplecrest Road . The line is located between manholes U30 192 and U30 073. These manholes are on either side of the entrance to the Target Store.

CONDITIONS OF WORK:

The Contractor that is awarded the emergency repairs shall be required to provide or comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual.
2. All Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and, in particular, open construction trench protection and confined space entry.
3. Contractor shall be required and be responsible for placing and maintaining temporary traffic barricades.
4. Contractor shall comply with all E.B.E. requirements through the City of Fort Wayne Compliance Office.
5. No soil borings are available, therefore Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction. Contractor shall have visited the site and familiarized himself/herself with all utilities, construction issues, conflicts and permanent structures prior to bidding this Work.
6. Contractor shall be responsible to temporarily protect or permanently replace or repair all existing utilities, if necessary, in the emergency repair site. Contractor shall protect any permanent structures on private property that may be affected during construction activities. If a permanent structure is damaged, Contractor shall repair or replace the damaged structure to equal of the appraised value or to the satisfaction of the private property owner. The Contractor would be responsible for obtaining any appraisals.
7. Contractor shall submit Monthly Report and Manpower Summary to the City Compliance Office, Room #420.
8. Contractor shall be required to obtain and adhere to any and all required permits, including a right of way cut permit and a street barricade permit, if necessary.
9. Contractor shall be responsible for the safety and security of the construction site, any stored materials, tools or equipment at the site, and any Work that has been performed.
10. The City of Fort Wayne shall be the sole judge as to the quality of the workmanship of the Contractor's Work.
11. This Work is "emergency" sewer repair Work, and thus, the Contractor shall understand that time is of the essence. Work shall be performed with this in mind.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary to perform his/her construction activities. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners, and the Contractor shall restore them to their original or better condition, at no extra cost.



4500 MAPLECREST ROAD
SANITARY SEWER EMERGENCY REPAIR SPECIFICATIONS

BASE BID:
ITEM NO. 1 All costs will include all Work to complete the pipe burst and replace the failed 10" asbestos cement sanitary sewer.

LUMP SUM **$**_____

The emergency repair Work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2012.

FROM_____
Contractor

BY_____
Signature

BY_____
Printed Name

TO: Victoria Guerrero - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: March 28, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$245,063.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Westside Pump Station project, the Northwest Pressure Zone Pumping Improvements project and the 3RFP UV Disinfection Improvement project.

Draw #53	Kokosing Construction Co.	$232,361.00
Draw #54	Rosemount Inc.	4,635.00
Draw #55	City Utilities – Fort Wayne Municipal Waterworks	5,135.00
Draw #56	H N T B	2,932.00
	Total	**$245,063.00**

Robert P. Kennedy, Chairman

John Urbahns, Member

Kumar Menon, Member

April 11, 2012
Date

IMPROVEMENT RESOLUTION NO.

2012 A - RESURFACING PACKAGE
WORK ORDER NO. 12284

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: MILLING PAVEMENT SURFACE AND RESURFACING PAVEMENT: PAVEMENT MARKINGS, RAISE CASTINGS AND VALVE BOXES TO GRADE.

District 1

MONIQUE DRIVE	WHEELOCK ROAD	HIDDEN VILLAGE PLACE
LARK MEADOW	HIDDEN VILLAGE PLACE	GOLDEN OAK DRIVE
EVARD ROAD	SUNBURY DRIVE	SALGE DRIVE
HAWKNEST TRAIL	NORWOOD CT	6911 HAWKNEST TRAIL S. P / L
WOOD MEADOWS LANE	VERANDAH LANE	DEAD END
DEERPOINTE COVE	VERANDAH LANE	DEAD END
ABINGTON DRIVE	GATE TREE LANE	POST BROOK LANE
LONDONDERRY LANE	SAXTON RUN	WINDHAM COURT
WINDHAM COURT	LONDONDERRY LANE	CUL-DE-SAC
MILL RIDGE	WHEELOCK ROAD	TIMBERS END PLACE
PRESTWICK RUN	ST. JOE CENTER ROAD	FOUNTAINHEAD DRIVE
LIONSGATE DRIVE	DEVILLE PLACE	TO THE EAST END.
VANCE AVE	REED RD	DELRAY

District 2

STATE STREET	ST. JOSEPH BLVD	KENTUCKY AVE
OAKCLIFF CT	OAKCLIFFLANE	CUL-DE-SAC
CLIFFWOOD LANE	SWIFTS RUN	CUL-DE-SAC
CROSSBRANCH CT	SWIFTS RUN	CUL-DE-SAC
CLARA AVE	CAREW STREET	ROLSTON STREET
STATE STREET	FLORIDA	ANTHONY
GRASSLAND CT	MEADOWS PARK WAY	CUL-DE-SAC
GRAYFEILD CT	MEADOWS PARK WAY	CUL-DE-SAC
CRESCENT AVE	STATE STREET	LYNN AVE
GARDEN PARK DRIVE	OTSEGO DRIVE	WOODBROOK DRIVE
BEECHMONT **DRIVE**	**OTSEGO DRIVE**	**EAST 625'**

District 3

SHERMAN ST	STATE ST	GOSHEN ROAD
NORTHWOOD PARK DRIVE	RAVENSWOOD DRIVE	SHADYHURST DRIVE
PARK RIDGE DRIVE	RAVENSWOOD DRIVE	SHADYHURST DRIVE
RAVINIA ROAD	RAVENSWOOD DRIVE	SHADYHURST DRIVE
RAVENSWOOD DRIVE	NORTHWOOD PARK DRIVE	RAVINIA ROAD
POINT WEST DRIVE	Start 200' west of Harris Rd	Pave 550'

WOODLAND SPRINGS PL	MEDALLION RUN	CUL-DE-SAC
NORTHLAND BLVD	LIMA ROAD	OAK BAY RUN
HEARTLAND DRIVE	MEDALLION RUN	WEST 100'
FOX ORCHARD RUN	VICTORIA WOODS PLACE	500 ' EAST to common walks
WILLOW HILL RUN	CUL-DE-SAC	CUL-DE-SAC
BILLY DRIVE	DUA STREET	S.R. 3
DUA STREET	BILLY DRINE	DANNY DRIVE
DANNY DRIVE	DUA STREET	S.R. 3

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 25th day of April, 2011.

BOARD OF PUBLIC WORKS

Robert P. Kennedy, Chairman

Kumar Menon, Member

John Urbahns, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12284
W.O. NO.: 12284

proj: 2012 - Resurfacing PKG - A

Bid Estimate: $471,310.40
estimated e&i: $28,300.00
Total estimate: $499,610.40

Date: 4/20/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	SURFACE MILLING, BITUMINOUS	69033	SY	$0.80	$55,226.40
2	BITUMINOUS BINDER NO 11, HMA	350	TON	$50.00	$17,500.00
3	BITUMINOUS BINDER NO 8 or 9, HMA	2169	TON	$46.00	$99,774.00
4	BITUMINOUS SURFACE NO 11, HMA	993	TON	$55.00	$54,615.00
5	BITUMINOUS SURFACE NO 12, HMA	3465	TON	$55.00	$190,575.00
6	WATER VALVE (FURNISH AND ADJUST TO GRADE)	1	EA	$150.00	$150.00
7	WATER VALVE (ADJUST TO GRADE)	5	EA	$100.00	$500.00
8	CASTINGS ADJUST TO GRADE (UNDISTRIBUTED QUANTITY)	14	EA	$200.00	$2,800.00
9	CASTING (pick up from WPCM and adjust to grade) TYPE "A" NEENAH # R1772 (UNDISTRIBUTED QUANTITY)	3	EA	$350.00	$1,050.00
10	PAVEMENT MARKING, SOLID YELLOW, THERMOPLASTIC, 4" LANE LINE	6450	LF	$0.75	$4,837.50
11	PAVEMENT MARKING, BROKEN YELLOW, CENTERLINE THERMOPLASTIC, 4" LANE LINE	430	LF	$0.75	$322.50
12	PAVEMENT MARKING, SOLID WHITE, THERMOPLASTIC, 4" LANE LINE	675	LF	$0.75	$506.25
13	PAVEMENT MARKING, BROKEN WHITE, CENTERLINE THERMOPLASTIC, 4" LANE LINE	1300	LF	$0.75	$975.00
14	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" STOP BAR	55	LF	$6.50	$357.50
15	TRANSVERSE MARKINGS, THERMOPLASTIC, WHITE CROSS WALK LINE, 6"	90	LF	$3.00	$270.00
16	TEMPORARY PAVEMENT MARKING REMOVABLE, YELLOW OR WHITE 4" (4' every 36' Gap)	1410	LF	$0.75	$1,057.50
17	PAVEMENT MARKING, WHITE THERMOPLASTIC EDGE LINE 6"	1425	LF	$0.75	$1,068.75
18	PAVEMENT MARKING, SOLID YELLOW PAINT, 4" LANE LINE	300	LF	$0.75	$225.00
19	MAINTENANCE OF TRAFFIC	1	LS	$21,500.00	$21,500.00
20	MOBILIZATION AND DEMOBILIZATION	1	LS	$17,000.00	$17,000.00
21	WORK ALLOWANCE	1	LS	$1,000.00	$1,000.00

BID

CONTRACTOR:

proj: 2012 - Resurfacing PKG - A

RES. NO.: 12284
W.O. NO.: 12284

TOTAL BID AMT: _____

required completion date: August 17, 2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	SURFACE MILLING, BITUMINOUS	69033	SY		
2	BITUMINOUS BINDER NO 11, HMA	350	TON		
3	BITUMINOUS BINDER NO 8 or 9, HMA	2169	TON		
4	BITUMINOUS SURFACE NO 11, HMA	993	TON		
5	BITUMINOUS SURFACE NO 12, HMA	3465	TON		
6	WATER VALVE (FURNISH AND ADJUST TO GRADE)	1	EA		
7	WATER VALVE (ADJUST TO GRADE)	5	EA		
8	CASTINGS ADJUST TO GRADE (UNDISTRIBUTED QUANTITY)	14	EA		
9	CASTING (pick up from WPCM and adjust to grade) TYPE "A" NEENAH # R1772 (UNDISTRIBUTED QUANTITY)	3	EA		
10	PAVEMENT MARKING, SOLID YELLOW, THERMOPLASTIC, 4" LANE LINE	6450	LF		
11	PAVEMENT MARKING, BROKEN YELLOW, CENTERLINE THERMOPLASTIC, 4" LANE LINE	430	LF		
12	PAVEMENT MARKING, SOLID WHITE, THERMOPLASTIC, 4" LANE LINE	675	LF		
13	PAVEMENT MARKING, BROKEN WHITE, CENTERLINE THERMOPLASTIC, 4" LANE LINE	1300	LF		
14	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" STOP BAR	55	LF		
15	TRANSVERSE MARKINGS, THERMOPLASTIC, WHITE CROSS WALK LINE, 6"	90	LF		
16	TEMPORARY PAVEMENT MARKING REMOVABLE, YELLOW OR WHITE 4" (4' every 36' Gap)	1410	LF		
17	PAVEMENT MARKING, WHITE THERMOPLASTIC EDGE LINE 6"	1425	LF		
18	PAVEMENT MARKING, SOLID YELLOW PAINT, 4" LANE LINE	300	LF		
19	MAINTENANCE OF TRAFFIC	1	LS		
20	MOBILIZATION AND DEMOBILIZATION	1	LS		
21	WORK ALLOWANCE	1	LS	$1,000.00	

IMPROVEMENT RESOLUTION NO. 12292

TIPPERARY TRAIL-DONEGAL DRIVE CONCRETE STREET REPAIR
WORK ORDER NO. 12292

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: 7905 Tipperary Trail to 1805 Donegal Drive by reconstructing the concrete pavement as needed, installation of sub-surface drainage, new ADA curb ramps and Hydro-seeding for restoration of the grass.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 25th day of April, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

John Urbahns, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12292
W.O. NO.: 12292

proj: Tipperary Trail - Donegal Drive Concrete Street Repairs

Bid Estimate: $76,647.00
estimated e&i: $18,118.00
Total estimate: $94,765.00

Date: 4/18/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Pavement	1675	SY	$6.50	$10,887.50
2	Removal of Concrete	24	SY	$6.00	$144.00
3	Concrete Sidewalk (4")	16	SY	$25.00	$400.00
4	Cement Concrete Pavement, Plain (7") Class A	1675	SY	$24.00	$40,200.00
5	Concrete Wingwalk & Ramps (6")	8	SY	$40.00	$320.00
6	ADA Solutions, Armor-Tile or Approved Equal Wetset 2' x 4' Composit Tactile Warning Surface Units	2	EA	$200.00	$400.00
7	Underdrain 6" Perferated Plastic, Group K Pipe (including #8 Aggregate Backfill)	965	LF	$8.00	$7,720.00
8	Type "O" Compacted Aggregate for Base, No. 53.	360	TN	$15.00	$5,400.00
9	Backfill Behind the Curb	60	TN	$10.00	$600.00
10	Topsoil	35	TN	$15.00	$525.00
11	Hydroseeding With Hydrostick of Equivalent Polymer for Erosion Control	160	SY	$2.00	$320.00
12	Adjust Casting to Grade	3	EA	$125.00	$375.00
13	Sediguard Inlet Protection Device of Approved Equal	3	EA	$50.00	$150.00
14	Construction Sign Type - A	4	EA	$80.00	$320.00
15	Standard Barricade, Type III with Road Closed Local Traffic Only Sign	4	EA	$100.00	$400.00
16	Mobilization / Demobilization	1	LS	$3,325.00	$3,325.00
17	Maintenance of Traffic	1	LS	$2,660.50	$2,660.50
18	Work Allowance	1	LS	$2,500.00	$2,500.00

BID

CONTRACTOR:

proj: Tipperary Trail - Donegal Drive Concrete Street Repairs

RES. NO.: 12292
W.O. NO.: 12292

TOTAL BID AMT: _____

required completion date: 7/27/2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

_____
Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Pavement	1675	SY		
2	Removal of Concrete	24	SY		
3	Concrete Sidewalk (4")	16	SY		
4	Cement Concrete Pavement, Plain (7") Class A	1675	SY		
5	Concrete Wingwalk & Ramps (6")	8	SY		
6	ADA Solutions, Armor-Tile or Approved Equal Wetset 2' x 4' Composit Tactile Warning Surface Units	2	EA		
7	Underdrain 6" Perferated Plastic, Group K Pipe (including #8 Aggregate Backfill)	965	LF		
8	Type "O" Compacted Aggregate for Base, No. 53.	360	TN		
9	Backfill Behind the Curb	60	TN		
10	Topsoil	35	TN		
11	Hydroseeding With Hydrostick of Equivalent Polymer for Erosion Control	160	SY		
12	Adjust Casting to Grade	3	EA		
13	Sediguard Inlet Protection Device of Approved Equal	3	EA		
14	Construction Sign Type - A	4	EA		
15	Standard Barricade, Type III with Road Closed Local Traffic Only Sign	4	EA		
16	Mobilization / Demobilization	1	LS		
17	Maintenance of Traffic	1	LS		
18	Work Allowance	1	LS	$2,500.00	

Interstate Business Park – Spy Run Creek Erosion Control Project
RESOLUTION NO. 83317

RESOLUTION BY THE BOARD OF STORMWATER MANAGEMENT of the City of Fort Wayne, Indiana that:

Orders the installation of approximately 3, 400 LF of silt fence, 5 rock check dams, and 25 acres of seeding, associated with the Spy Run flood control basins at I-69 and Progress Dr.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Interstate Business Park – Spy Run Creek Erosion Control Project.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Stormwater Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares the engineer's estimate of the project's total cost is $30,000.00.

APPROVED THIS 25th DAY OF April, 2012.

BOARD OF STORMWATER MANAGEMENT

BY: _____
Robert P. Kennedy, Chairman

BY: _____
Matthew A. Wirtz, Member

ATTEST: _____
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: April 17, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,877,166.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw #39	Donohue & Assoc.	$ 37,956.00
Draw #40	GAI Consultants	14,768.00
Draw #41 & #46	American Cast Iron Pipe Co.	150,700.00
Draw #42	Mason Engineering & Construction	156,798.00
Draw #43	Engineering Technologies	16,445.00
Draw #44	Spectrum Engineering Corp.	19,970.00
Draw #45	Weigand Construction Co. & Lake City Bank	1,477,929.00
Draw #47	City Utilities – City of Ft. Wayne Municipal Sewage Works	2,600.00
	Total Payments	$1,877,166.00

Robert P. Kennedy, Chairman

Kumar Menon, Member

John Urbahns, Member

April 25, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: April 18, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$640,184.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the LTCP Program Management project, the CSSCIP Planning and Design project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the Digester Electrical Building project and the WPCP Hydraulic & Process Analysis project.

Draw #363	Black & Veatch Corp.	$ 22,214.00
Draw #364	CH2M Hill	8,857.00
Draw #365	Donohue & Assoc.	5,087.00
Draw #366	Hagerman Inc. & Star Financial Bank	373,704.00
Draw #367	Arcadis/Malcolm Pirnie	105,500.00
Draw #368 & #369	Robert E. Crosby	64,532.00
Draw #370	CH2M Hill	17,105.00
Draw #371 & #372	GAI Consultants	43,185.00
Total Payments		**$640,184.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

John Urbahns, Member

Date: April 25, 2012

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: April 19, 2012

RE: 2006 Water SRF (STATE REVOLVING FUNDS)

Please include the following SRF payment with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$22,723.00.** This payment will be made with the 2006 Waterworks State Revolving Fund Loan Program interest. This expense is for the Plant 3 Flocculator Improvement Ph 2 project.

Draw #469	Mason Engineering & Construction	$22,723.00

Robert P. Kennedy, Chairman

Kumar Menon, Member

John Urbahns, Member

April 25, 2012
Date

IMPROVEMENT RESOLUTION NO. 12304

2012 - ON CALL ARTERIAL CONCRETE STREET REPAIRS
WORK ORDER NO. 12304

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: That it is deemed necessary to improve: Various locations throughout districts 1 through 6 in the city of Fort Wayne by repairing concrete Arterial roadways.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 2nd day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

John Urbahns, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12302
W.O. NO.: 12302

proj: **ON CALL ARTERIAL CONCRETE STREET REPAIRS - 2012**

Bid Estimate: $100.00
estimated e&i:
Total estimate: $100.00

Date: **4/19/2012**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	"Special" Cement Concrete Pavement , Plain 9"-12", Class A (High Early Mix) See Special Provisions for all items included in S.Y. price	1	SY	$100.00	$100.00

BID

CONTRACTOR:

proj: ON CALL ARTERIAL CONCRETE STREET REPAIRS - 2012

RES. NO.: 12302
W.O. NO.: 12302

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 10/28/2012

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	"Special" Cement Concrete Pavement , Plain 9"-12", Class A (High Early Mix) See Special Provisions for all items included in S.Y. price	1	SY		

QUITCLAIM OF
UTILITY AND STORMWATER DRAINAGE EASEMENT

The Fieldhouse, Village of Glenbrook
3946 Ice Way, Fort Wayne

Board of Public Works Resolution 99-5-2-12-1

Cross Reference to Documents 2009017855 and 2009011856

THIS QUITCLAIM OF UTILITY AND STORMWATER DRAINAGE EASEMENT ("Quitclaim") is executed this 2nd day of May, 2012, by the City of Fort Wayne Board of Public Works ("City"), to wit:

RECITALS

A. OMD Holdings–Lima Road, LLC, is the owner ("Owner") of certain real estate located in the City of Fort Wayne, Allen County, Indiana, and recorded at Document 2009011856 in the office of the Recorder of Allen County, Indiana ("Real Estate").

B. City obtained an easement over and across the Real Estate for the purpose of constructing, operating and maintaining public utility and drainage systems and related equipment and structures ("Public Utilities") through a grant of easement recorded at Document 2009017855 in the office of the Recorder of Allen County, Indiana ("Utility and Drainage Easement").

C. For the purpose of developing the Real Estate, Owner has requested that City vacate a part of the Utility and Drainage Easement on the east side of Ice Way in which no Public Utilities are presently located and upon which a part of a proposed building is to be located.

QUITCLAIM

1. City hereby vacates and quitclaims unto Owner all right, title and interest in and to that part of the Utility and Drainage Easement depicted on the attached Exhibit A. City retains all other rights conveyed to it pursuant to the Utility and Drainage Easement which are not specifically released herein, and all other terms and conditions of said Utility and Drainage Easement which are not amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Fort Wayne Board of Public Works has executed this Quitclaim as of the date set forth above.

By: _____
Robert P. Kennedy, Chair

By: _____
Kumar Menon, Member

By: _____
John Urbahns, Member

ATTEST: _____
Victoria G. Edwards, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

BEFORE ME, a Notary Public in and for said State and County, personally appeared the within named City of Fort Wayne Board of Public Works, "City" herein, by Robert P. Kennedy, Kumar Menon and John Urbahns as Members of the Board of Public Works, and Victoria G. Edwards, Clerk of the Board, and acknowledged the execution of the foregoing Quitclaim as their voluntary act and deed.

WITNESS my hand and seal this 2nd day of May, 2012.

My Commission Expires: _____

Resident of _____ County

_____
Signature of Notary Public

_____
Printed Name

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Craig Berndt, City Utilities, Development Services.

This instrument prepared by Craig Berndt, City Utilities, Development Services.

221 Tower Drive
Monroe, IN 46772
Phone: (260) 692-6166
Fax: (260) 692-6242
Brett R. Miller, PLS No.LS20300059
Robert J. Marucci, PLS No.LS20400028
Larry W. Owen, PLS No.LS S-0334

Miller Land Surveying, Inc.

EASEMENT SKETCH

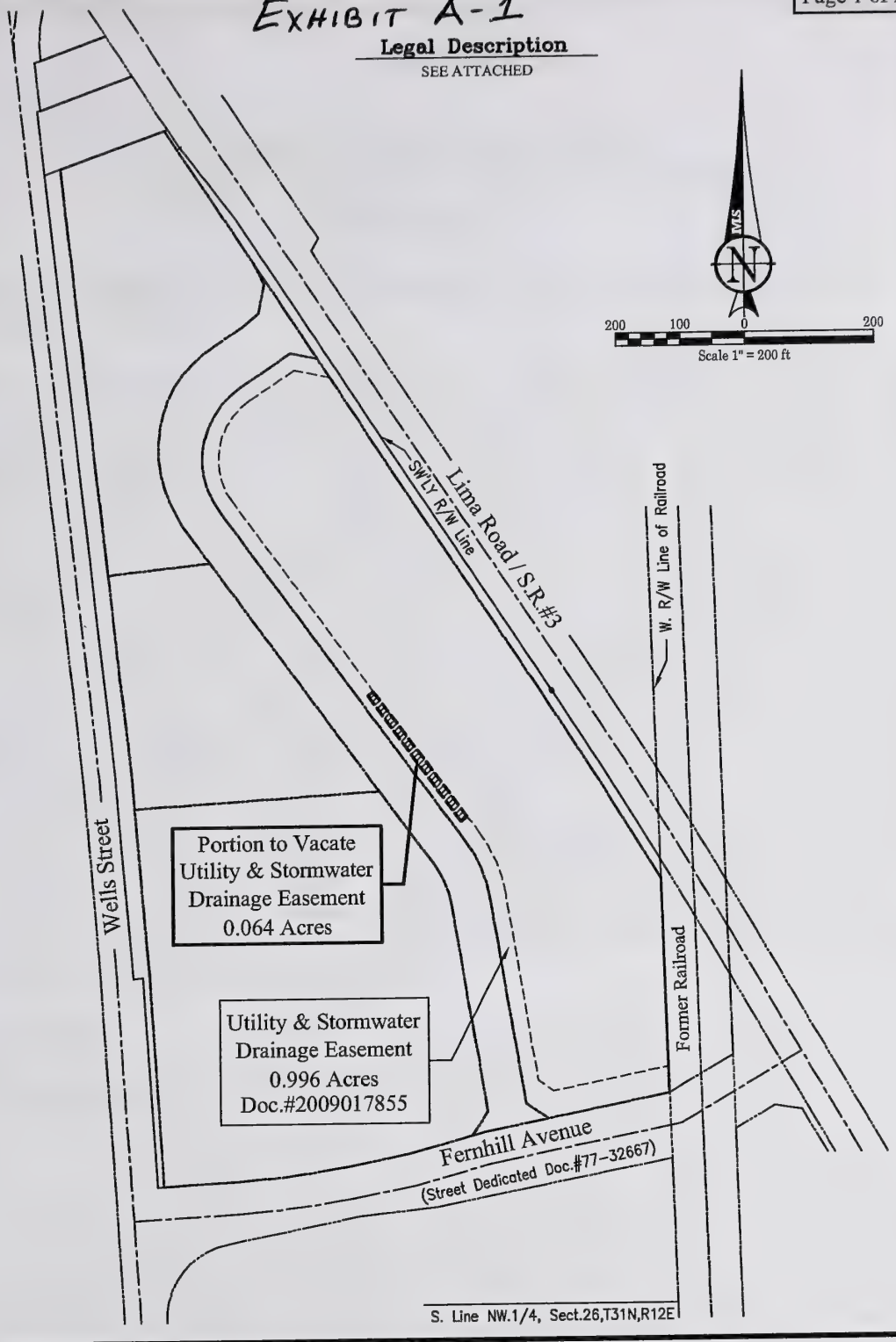
Precision and Professionalism is where we draw the line.

MLS

EXHIBIT A-1

Legal Description

SEE ATTACHED



Survey No. 09031036

County: Allen Township: Washington Sect/Twp/Rng: 26, T31N, R12E

For: OMD Holdings-Lima Road, LLC

Fieldwork Completed: N/A

IN WITNESS WHEREOF, I hereunto place my hand and seal this 10th day of March, 2009.

Revised: March 20, 2009 / March 24, 2009 / October 27, 2011

Brett R Miller

Brett R. Miller, PLS NO. 20300059

(Drawing Name:09031036.dwg)

BRETT R. MILLER
REGISTERED
No.LS20300059
STATE OF INDIANA
LAND SURVEYOR

MLS

EXHIBIT A-2

Miller Land Surveying, Inc.

221 Tower Drive P.O. Box 34 Monroe, IN 46772 Phone: 260-692-6166 Fax: 260-692-6242

Easement Vacation Description
Utility & Stormwater Drainage Easement
0.064 Acres

Part of the Northwest Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at 5/8" steel rebar at the intersection of the West right-of-way line of the Penn Central Railroad and the North right-of-way line of Fernhill Avenue, said point being 325.2 feet North of the South line of the Northwest Quarter of Section 26, Township 31 North, Range 12 East, Allen County, said point being at the Southeast corner of an existing 0.996 acre easement described in Document Number 2009017855 in the Office of the Recorder of Allen County, Indiana; thence North 01 degrees 48 minutes 54 seconds West, a distance of 40.58 feet along the East line of said 0.996 acre easement to a North line of said 0.996 acre easement; thence South 78 degrees 30 minutes 58 seconds West, a distance of 180.89 feet along said North line to a East line of said 0.996 acre easement; thence North 55 degrees 29 minutes 02 seconds West, a distance of 28.57 feet along said East line; thence North 09 degrees 29 minutes 02 seconds West, a distance of 292.57 feet along said East line to a tangent curve, concave to the Southwest, having a radius of 225.00 feet; thence Northerly along said curve and said East line a distance of 105.44 feet, having a central angle of 26 degrees 51 minutes 00 seconds, and a chord of 104.48 feet bearing North 22 degrees 54 minutes 32 seconds West to the point of tangency; thence North 36 degrees 20 minutes 02 seconds West, a distance of 29.11 feet along said East line to the POINT OF BEGINNING of the herein described easement vacation; thence South 54 degrees 00 minutes 02 seconds West, a distance of 12.28 feet; thence North 35 degrees 59 minutes 59 seconds West, a distance of 241.25 feet; thence North 54 degrees 00 minutes 02 seconds East, a distance of 10.88 feet to the East line of said 0.996 acre easement; thence South 36 degrees 20 minutes 02 seconds East, a distance of 241.26 feet along said East line feet to the Point of Beginning. Containing 0.064 Acres, more or less. Subject to easements of record.

Survey Job #09031036
Date: October 27, 2011
Miller Land Surveying, Inc.

QUITCLAIM OF
SANITARY SEWER PIPE AND EASEMENT

The Fieldhouse, Village of Glenbrook
3946 Ice Way, Fort Wayne

Board of Public Works Resolution 99-5-2-12-2

Cross Reference to Document 2009011856 and Miscellaneous Record 301, pg. 226

THIS QUITCLAIM OF SANITARY SEWER PIPE AND EASEMENT ("Quitclaim") is executed this 2nd day of May, 2012, by the City of Fort Wayne Board of Public Works ("City"), to wit:

RECITALS

A. OMD Holdings–Lima Road, LLC, is the owner ("Owner") of certain real estate located in the City of Fort Wayne, Allen County, Indiana, and recorded at Document 2009011856 in the office of the Recorder of Allen County, Indiana ("Real Estate").

B. City obtained an easement over and across the Real Estate for the purpose of constructing, operating and maintaining a public sanitary sewer pipe and related equipment and structures ("Public Sewer") through a grant of easement recorded at Misc. Rec. 301, pg. 226 in the office of the Recorder of Allen County, Indiana ("Sewer Easement").

C. Owner did at its expense and pursuant to City's approval, render inoperable all that part of the Public Sewer located east of Str. L26-198, and Owner has requested that City vacate the Public Sewer and Sewer Easement on the Real Estate between Ice Way and U.S. Highway 27 (Lima Road).

QUITCLAIM

1. City hereby vacates and quitclaims unto Owner all right, title and interest in and to that part of the City's public sanitary sewer system between the east side of manhole L26-198 and the west right-of-way line of U.S. Highway 27 (Lima Road), as depicted on the attached Exhibit A. Str. L26-198 is not included and shall remain a part of the City's public sanitary sewer system.

2. City hereby vacates and quitclaims unto Owner all right, title and interest in and to that part of the Sewer Easement located between the east right-of-way line of Ice Way and the west right-of-way line of U.S. Highway 27 (Lima Road), as depicted on the attached Exhibit B. City retains all other rights conveyed to it pursuant to the Sewer Easement which are not specifically released herein, and all other terms and conditions of said Sewer Easement which are not amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Fort Wayne Board of Public Works has executed this Quitclaim as of the date set forth above.

By: _____
Robert P. Kennedy, Chair

By: _____
Kumar Menon, Member

By: _____
John Urbahns, Member

ATTEST: _____
Victoria G. Edwards, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

BEFORE ME, a Notary Public in and for said State and County, personally appeared the within named City of Fort Wayne Board of Public Works, "City" herein, by Robert P. Kennedy, Kumar Menon and John Urbahns as Members of the Board of Public Works, and Victoria G. Edwards, Clerk of the Board, and acknowledged the execution of the foregoing Quitclaim as their voluntary act and deed.

WITNESS my hand and seal this 2nd day of May, 2012.

My Commission Expires: _____

Resident of _____ County

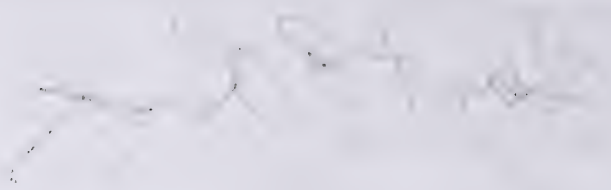
_____
Signature of Notary Public

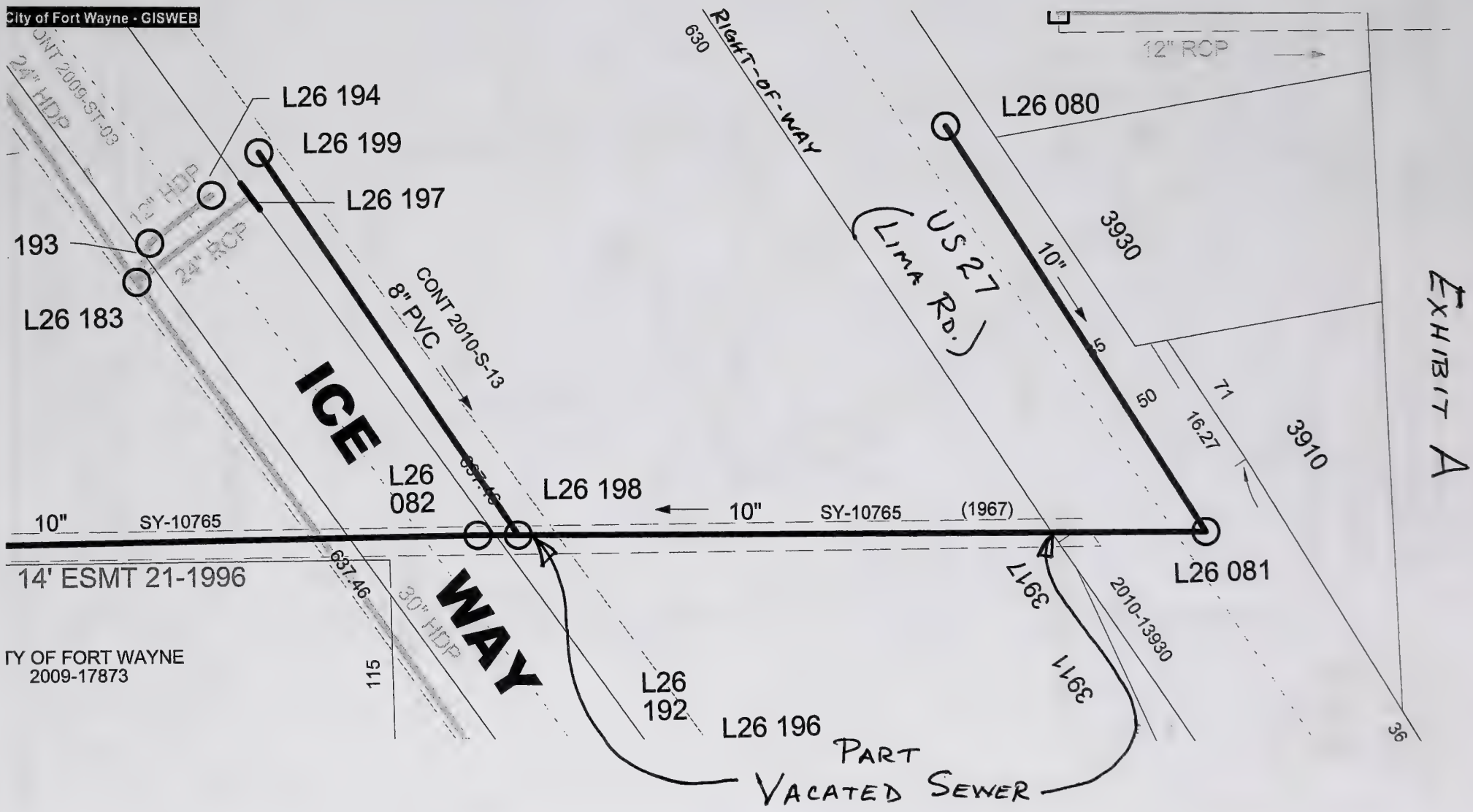
_____
Printed Name

MICHELLE R. NELSON
NOTARY SEAL
NOTARY PUBLIC, STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXPIRES
October 26, 2014

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Craig Berndt, City Utilities, Development Services.

This instrument prepared by Craig Berndt, City Utilities, Development Services.




City of Fort Wayne - GISWEB
CONT 2009-ST-03
24" HDP
L26 194
L26 199
L26 197
12" HDP
24" RCP
193
L26 183
CONT 2010-S-13
8" PVC
ICE
WAY
L26
082
L26 198
10"
SY-10765
14' ESMT 21-1996
637.46
30" HDP
115
TY OF FORT WAYNE
2009-17873
L26
192
L26 196
RIGHT-OF-WAY
630
US 27
(LIMA RD.)
12" RCP
L26 080
3930
10"
50
71
16.27
3910
10"
SY-10765
(1967)
L26 081
3917
3917
2010-13930
36
PART
VACATED SEWER
EXHIBIT A

Corporate Office
221 Tower Drive
Monroe, IN 46772
Phone: (260) 692-6166
Fax: (260) 692-6242

Miller Land Surveying, Inc.

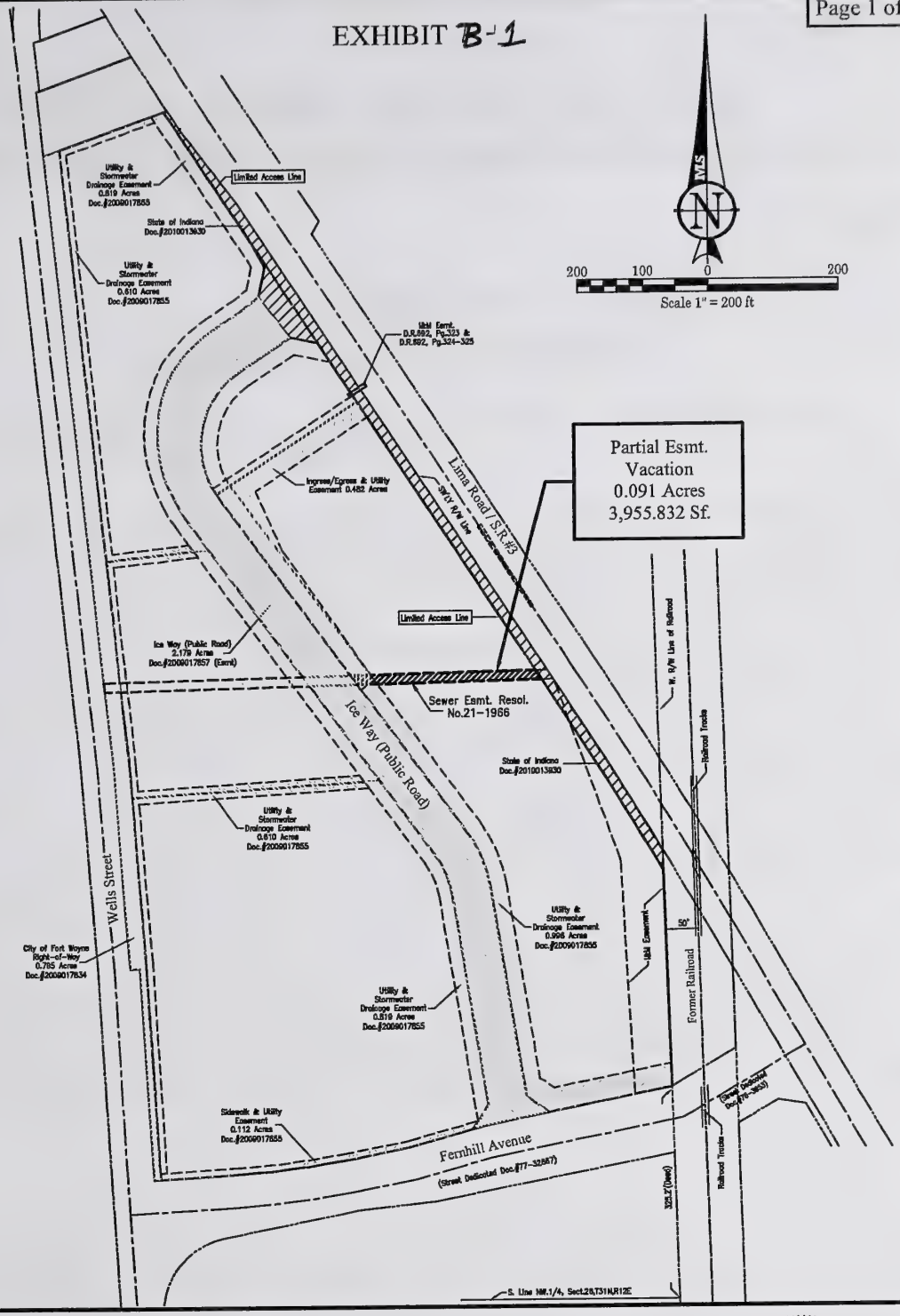
EASEMENT SKETCH

Fort Wayne Office
231 Airport North Office Park
Fort Wayne, IN 46825
Phone: (260) 489-8571
Fax: (260) 489-8570

Brett R. Miller, PLS No.LS20300059 Larry W. Owen, PLS No. S-0334
Robert J. Marucci, PLS No.LS20400028
www.mlswebsite.us

Precision and Professionalism is where we draw the line.

EXHIBIT B-1


Utility & Stormwater Drainage Easement 0.819 Acres Doc.#2009017855
Limited Access Line
State of Indiana Doc.#2010013630
Utility & Stormwater Drainage Easement 0.610 Acres Doc.#2009017855
Ingress/Egress & Utility Easement 0.482 Acres
Lima Road / S.R.#3
Partial Esmt. Vacation 0.091 Acres 3,955.832 Sf.
Ice Way (Public Road) 2.179 Acres Doc.#2009017857 (Esmt)
Sewer Esmt. Resol. No.21-1966
Ice Way (Public Road)
Wells Street
City of Fort Wayne Right-of-Way 0.785 Acres Doc.#2009017834
Utility & Stormwater Drainage Easement 0.996 Acres Doc.#2009017855
Former Railroad
Railroad Tracks
Sidewalk & Utility Easement 0.112 Acres Doc.#2009017855
Fernhill Avenue
(Street Dedicated Doc.#77-32587)
S. Line NW.1/4, Sect.26,T31N,R12E
200 100 0 200
Scale 1" = 200 ft

Survey No. 11041666

County: Allen Township: Washington Sect/Twp/Rng:26,T31N,R12E

For: OMD Holdings-Lima Road, LLC

Fieldwork Completed: August 15, 2011

IN WITNESS WHEREOF, I hereunto place my hand and seal this 25th day of August, 2011.

Revised:

Brett R. Miller, PLS NO. 20300059

BRETT R. MILLER REGISTERED No.LS20300059 STATE OF INDIANA LAND SURVEYOR

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 865 IAC 1-12-1 thru 30.

(Drawing Name:09031036.dwg)

Miller Land Surveying, Inc.

221 Tower Drive P.O. Box 34 Monroe, IN 46772 Phone: 260-692-6166 Fax: 260-692-6242

EXHIBIT B-2
Easement Vacation Description

Part of the Northwest Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Commencing at 5/8" steel rebar at the intersection of the West right-of-way line of the Penn Central Railroad and the North right-of-way line of Fernhill Avenue, said point being 325.2 feet North of the South line of the Northwest Quarter of Section 26, Township 31 North, Range 12 East, Allen County, Indiana; thence North 01 degrees 48 minutes 54 seconds West, a distance of 330.10 feet along said West right-of-way line to a point on the new Lima Road right-of-way, said point being on a tangent curve, concave to the Southwest, having a radius of 8544.37 feet; thence Northwesterly along said curve and said right-of-way line a distance of 334.35 feet, having a central angle of 02 degrees 14 minutes 31 seconds, and a chord of 334.33 feet bearing North 32 degrees 12 minutes 44 seconds West to the point of tangency; thence North 33 degrees 20 minutes 00 seconds West, a distance of 11.78 feet along said right-of-way to the South line of an existing sewer easement depicted as "sewer easement resolution #21 1966", said point also being the POINT OF BEGINNING of the herein described easement vacation; thence South 88 degrees 44 minutes 08 seconds West, a distance of 282.03 feet along the South line of said easement to the East right-of-way line of Ice Way as described in Document Number 2009017857 in the Office of the Recorder of Allen County, Indiana; thence North 36 degrees 20 minutes 02 seconds West, a distance of 17.11 feet along said right-of-way line to the North line of said easement depicted as "sewer easement resolution #21 1966", thence North 88 degrees 44 minutes 08 seconds East, a distance of 283.09 feet along said North line to the West right-of-way line of said Lima Road; thence South 33 degrees 20 minutes 00 seconds East, a distance of 16.52 feet along said right-of-way to the Point of Beginning. Containing 0.091 Acres, more or less. Subject to easements of record.

Survey Job #11041666
Date: August 25, 2011
Miller Land Surveying, Inc.

IMPROVEMENT RESOLUTION NO. 12298

BITTERSWEET DRIVE CONCRETE STREET REPAIRS
WORK ORDER NO. 12298

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Bittersweet Drive from Larch Lane to Cul-de-sac by removing and replacing the existing concrete street.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 9th day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chair

John Urbahns, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: BITTERSWEET DRIVE - (LARCH LANE TO CUL-DE-SAC) - CONCRETE STREET REPAIRS

RES. NO.: 12298
W.O. NO.: 12298

TOTAL BID AMT: _____

required completion date: July 20, 2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS		
2	Maintenance of Traffic	1	LS		
3	Removal of Concrete Pavement	1740	SY		
4	Cement Concrete Pavement, Plain, 7" Class A	1740	SY		
5	Type "O" Compacted Aggregate for Base No. 53	200	TON		
6	Backfill Behind Curb	48	TON		
7	Top Soil	21	TON		
8	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	200	SY		
9	1" Expansion Joint	54	LF		
10	Casting, Type "C", Furnished and Adjusted to Grade	2	EA		
11	Casting, Type "A", Furnished and Adjusted to Grade	2	EA		
12	Construction Signs, Type A	3	EA		
13	Standard Barricade, Type III-B	4	EA		
14	ADA Solutions, Armor-Tile or Approved Equal Surface Mount 2' x 4' Composit Tactile Warning Surface Units (Color Brick Red)	2	EA		
15	Inlet Protection Devices For Stormwater And Erosion Control	2	EA		
16	Work Allowance	1	LS	$2,500.00	

ESTIMATE OF QUANTITIES

RES. NO.: 12298
W.O. NO.: 12298

BITTERSWEET DRIVE - (LARCH LANE TO CUL-DE-SAC) -
proj: CONCRETE STREET REPAIRS

Bid Estimate: $69,118.00
estimated e&i: $17,279.50
Total estimate: $86,397.50

Date:

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS	$2,300.00	$2,300.00
2	Maintenance of Traffic	1	LS	$1,300.00	$1,300.00
3	Removal of Concrete Pavement	1740	SY	$6.00	$10,440.00
4	Cement Concrete Pavement, Plain, 7" Class A	1740	SY	$26.00	$45,240.00
5	Type "O" Compacted Aggregate for Base No. 53	200	TON	$15.00	$3,000.00
6	Backfill Behind Curb	48	TON	$7.00	$336.00
7	Top Soil	21	TON	$14.00	$294.00
8	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	200	SY	$3.00	$600.00
9	1" Expansion Joint	54	LF	$7.00	$378.00
10	Casting, Type "C", Furnished and Adjusted to Grade	2	EA	$375.00	$750.00
11	Casting, Type "A", Furnished and Adjusted to Grade	2	EA	$400.00	$800.00
12	Construction Signs, Type A	3	EA	$60.00	$180.00
13	Standard Barricade, Type III-B	4	EA	$100.00	$400.00
14	ADA Solutions, Armor-Tile or Approved Equal Surface Mount 2' x 4' Composit Tactile Warning Surface Units (Color Brick Red)	2	EA	$200.00	$400.00
15	Inlet Protection Devices For Stormwater And Erosion Control	2	EA	$100.00	$200.00
16	Work Allowance	1	LS	$2,500.00	$2,500.00

St. Joe Lift Station Improvements
RESOLUTION NO. 75156

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This project entails the complete removal and replacement of two existing dry-pit submersible pumps, piping, valves, controls, electrical equipment, the building roof, and all other appurtenances as shown on the Contract Drawings. Alternate Work includes replacement of the HVAC system, cleaning and repainting the building exterior walls, replacement of the lower level stairs, and recoating existing handrail.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, St. Joe Lift Station Improvements

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne 2010 Sewer Utility Revenue Bond.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $695,750.00.

APPROVED THIS 9th DAY OF May, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
John Urbahns, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

WPCP Aeration Basins 1-3 Structural Improvements (Phase 1)

RESOLUTION NO. 0009-2012

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This work is generally described as replacement of deteriorated structural concrete, process piping, handrails, & electrical/controls equipment on the upper portion of aeration basins 1-3 at the Fort Wayne Water Pollution Control Plant.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, WPCP Aeration Basins 1-3 Structural Improvements.

Declares the cost of the said improvements shall be paid by the funds from the 2010 Sewer Reveue Bond and 2012 Sewer Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $350,000.00.

APPROVED THIS 9th DAY OF May, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy

BY: _____
John Urbahns, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

TO: Victoria Guerrero - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: May 1, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$192,357.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Westside Pump Station project, the Northwest Pressure Zone Pumping Improvements project and the 3RFP UV Disinfection Improvement project.

Draw #57	H N T B	$ 461.00
Draw #58	CH2M Hill	18,727.00
Draw #59	Kendall Electric Inc.	36,783.00
Draw #60	E J Prescott Inc.	641.00
Draw #61	D L Z	18,200.00
Draw #62	Bingham Greenebaum Doll LLP	2,100.00
Draw #63	H D Supply Waterworks	115,445.00
	Total	**$192,357.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

John Urbahns, Member

May 9, 2012
Date

IMPROVEMENT RESOLUTION NO. 12287

Willowind Trail – Coldwater Rd to Covecrest

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Willowind Trail from Coldwater Road to Cove crest by spot repair of concrete street, curbs, ramps, subsurface drains and restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 16th day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chair

John Urbahns, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria G. Edwards, Clerk

BID

CONTRACTOR:

proj: Willowind Trail - Coldwater to Covecrest

RES. NO.: 12287
W.O. NO.: 12287

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 8/24/2012

_____
Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS		
2	Removal of Concrete Pavement	425	SY		
3	Removal of Concrete	258	SY		
4	Removal of Curb	1520	SY		
5	Cement Concrete Pavement, Plain, 7" CLASS A	425	SY		
6	Concrete for Residential Drives (undistributed)	60	SY		
7	Concrete For Wingwalks & Ramps 6" (Includes V-Locs)	170	SY		
8	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' x 4' Composit Wetset Tactile Warning Surface Units (color brick red)	9	EA		
9	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	1300	LF		
10	Type "O" compacted Aggregate for Base No. 53 or No. 8	488	TON		
11	Top Soil	85	TON		
12	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	450	SY		
13	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	4	EA		
14	Casting Type "C" Furnish & Adjust to Grade (If Ordered)	1	EA		
15	Casting, Adjusted to Grade	4	EA		
16	Water Valves Adjusted to Grade (undistributed)	5	EA		
17	Construction Signs, Type A with Construction Warning Light Type A	2	EA		
18	Standard Barricade, Type III-B	2	EA		
19	Standard Barricade, Type III-B With Signs, Type B Construction	2	EA		
20	Maintenance of Traffic	1	LS		
21	Curb Type I-B (Special)	1520	LF		
22	Work Allowance	1	as needed	$3,000.00	

BID

CONTRACTOR:

proj: Willowind Trail - Coldwater to Covecrest

RES. NO.: 12287
W.O. NO.: 12287

TOTAL BID AMT _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 8/24/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS		
2	Removal of Concrete Pavement	425	SY		
3	Removal of Concrete	258	SY		
4	Removal of Curb	1520	LF		
5	Cement Concrete Pavement, Plain, 7" CLASS A	425	SY		
6	Concrete for Residential Drives (undistributed)	60	SY		
7	Concrete For Wingwalks & Ramps 6" (Includes V-Locs)	170	SY		
8	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' x 4' Composit Wetset Tactile Warning Surface Units (color brick red)	9	EA		
9	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	1300	LF		
10	Type "O" compacted Aggregate for Base No. 53 or No. 8	488	TON		
11	Top Soil	85	TON		
12	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	450	SY		
13	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	4	EA		
14	Casting Type "C" Furnish & Adjust to Grade (If Ordered)	1	EA		
15	Casting, Adjusted to Grade	4	EA		
16	Water Valves Adjusted to Grade (undistributed)	5	EA		
17	Construction Signs, Type A with Construction Warning Light Type A	2	EA		
18	Standard Barricade, Type III-B	2	EA		
19	Standard Barricade, Type III-B With Signs, Type B Construction	2	EA		
20	Maintenance of Traffic	1	LS		
21	Curb Type I-B (Special)	1520	LF		
22	Work Allowance	1	as needed	$3,000.00	
23	Concrete Sidewalk (4")	38	SY		

ESTIMATE OF QUANTITIES

RES. NO.: 12287
W.O. NO.: 12287

Proj: Willowind Trail - Coldwater to Covecrest

Bid Estimate: $90,579.50
estimated e&i: $18,115.90
Total estimate: $108,695.40

Date: 5/3/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS	$3,250.00	$3,250.00
2	Removal of Concrete Pavement	425	SY	$6.50	$2,762.50
3	Removal of Concrete	258	SY	$6.00	$1,548.00
4	Removal of Curb	1520	LF	$6.00	$9,120.00
5	Cement Concrete Pavement, Plain, 7" CLASS A	425	SY	$26.00	$11,050.00
6	Concrete for Residential Drives (undistributed)	60	SY	$29.00	$1,740.00
7	Concrete For Wingwalks & Ramps 6" (Includes V-Locs)	170	SY	$40.00	$6,800.00
8	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' x 4' Composit Wetset Tactile Warning Surface Units (color brick red)	9	EA	$200.00	$1,800.00
9	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	1300	LF	$7.50	$9,750.00
10	Type "O" compacted Aggregate for Base No. 53 or No. 8	488	TON	$15.00	$7,320.00
11	Top Soil	85	TON	$15.00	$1,275.00
12	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	450	SY	$2.00	$900.00
13	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	4	EA	$35.00	$140.00
14	Casting Type "C" Furnish & Adjust to Grade (If Ordered)	1	EA	$400.00	$400.00
15	Casting, Adjusted to Grade	4	EA	$100.00	$400.00
16	Water Valves Adjusted to Grade (undistributed)	5	EA	$40.00	$200.00
17	Construction Signs, Type A with Construction Warning Light Type A	2	EA	$60.00	$120.00
18	Standard Barricade, Type III-B	2	EA	$100.00	$200.00
19	Standard Barricade, Type III-B With Signs, Type B Construction	2	EA	$110.00	$220.00
20	Maintenance of Traffic	1	LS	$3,200.00	$3,200.00
21	Curb Type I-B (Special)	1520	LF	$16.00	$24,320.00
22	Work Allowance	1	as needed	$3,000.00	$3,000.00
23	Concrete Sidewalk (4")	38	SY	$28.00	$1,064.00

IMPROVEMENT RESOLUTION NO. 12299

Lima Valley Drive Concrete Street Repairs

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Lima Valley Drive from Northbury Drive East 530 Lineal feet, by spot repair of concrete street, concrete curb, subsurface drainage and restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 16th day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chair

John Urbahns, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria G. Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.:
W.O. NO.: 12299

proj: Lima Valley - East of Northbury to 1808 Lima Valley

Bid Estimate:	$59,527.50
estimated e&i:	$14,286.60
Total estimate:	$73,814.10

Date: 5/3/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS	$3,250.00	$3,250.00
2	Removal of Concrete Pavement (Includes Type "I-A Curb)	1175	SY	$6.50	$7,637.50
3	Cement Concrete Pavement, Plain, 7" CLASS A	1175	SY	$26.00	$30,550.00
4	Concrete for Residential Drives (undistributed)	30	SY	$29.00	$870.00
5	Type "O" compacted Aggregate for Base No. 53 or No. 8	255	TN	$15.00	$3,825.00
6	Top Soil	65	TN	$15.00	$975.00
7	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	240	SY	$2.00	$480.00
8	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	2	EA	$35.00	$70.00
9	Casting, Adjusted to Grade & Sealed	1	EA	$150.00	$150.00
10	Water Valves Adjusted to Grade (undistributed)	2	EA	$40.00	$80.00
11	Construction Signs, Type A with Construction Warning Light Type A	2	EA	$60.00	$120.00
12	Standard Barricade, Type III-B	2	EA	$100.00	$200.00
13	Standard Barricade, Type III-B With Signs, Type B Construction	2	EA	$110.00	$220.00
14	Maintenance of Traffic	1	LS	$3,600.00	$3,600.00
15	Work Allowance	1	as needed	$3,000.00	$3,000.00
16	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	600	LF	$7.50	$4,500.00

BID

CONTRACTOR:

Proj: Lima Valley - East of Northbury to 1808 Lima Valley

RES. NO.:
W.O. NO.: 12299

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 8/24/2012

_____
Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS		
2	Removal of Concrete Pavement (Includes Type "I-A Curb)	1175	SY		
3	Cement Concrete Pavement, Plain, 7" CLASS A	1175	SY		
4	Concrete for Residential Drives (undistributed)	30	SY		
5	Type "O" compacted Aggregate for Base No. 53 or No. 8	255	TN		
6	Top Soil	65	TN		
7	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	240	SY		
8	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	2	EA		
9	Casting, Adjusted to Grade & Sealed	1	EA		
10	Water Valves Adjusted to Grade (undistributed)	2	EA		
11	Construction Signs, Type A with Construction Warning Light Type A	2	EA		
12	Standard Barricade, Type III-B	2	EA		
13	Standard Barricade, Type III-B With Signs, Type B Construction	2	EA		
14	Maintenance of Traffic	1	LS		
15	Work Allowance	1	as needed		
16	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	600	LF		

IMPROVEMENT RESOLUTION NO. 3790N

NORTHWOOD MIDDLE SCHOOL STORM PIPE REPAIR
WORK ORDER NO. 3790N

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Storm pipe repair – Includes all expenses – Ductile iron pipe, flowable fill, excavation, removal, repair and restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 16th day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

John Urbahns, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: Northwood Middle School Storm Pipe Repair

RES. NO.: 3790N
W.O. NO.: 3790N

TOTAL BID AMT: _____

required completion date: 6/15/2012

Note: Contractor will be paid as Lump Sum unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Storm Pipe Repair - Includes all expenses - Ductile Iron Pipe, Flowable Fill, excavation, removal, repair and restoration. See Special Conditions and plans for Details	1	LS		

General Manhole Rehabilitation Pkg #1 2012
RESOLUTION 75707

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Manhole rehabilitation with full depth Epoxy Coating, chimney realignment, and casting replacement.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled,

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (2010 Revenue Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $ 82,250.00.

Declares this project is being done in effort to comply with the City of Fort Wayne's Consent Decree issued by the EPA.

APPROVED THIS 16th DAY OF May, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
John Urbahns, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

A RESOLUTION approving the sale of real estate owned by the City of Fort Wayne.

Resolution # 99-5-16-12-1

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the Owner of property located in Fort Wayne, Indiana and more particularly described on EXHIBIT A attached.

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for a portion of this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to sell the above-named property, following all Applicable state statutes.

Signed this 16th day of May, 2012.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
Kumar Menon, Member

BY: _____
John Urbahns, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

EXHIBIT A

Lot 424 Ex W 70 Ft of E 81 Ft of N 10 Ft Lafayette Place Add & Ex E 11 Ft in the City of Fort Wayne, Allen County, Indiana, commonly known as 4836 S. Lafayette Street

Lot 423 Lafayette Place Add Ex E 11 Ft in the City of Fort Wayne, Allen County, Indiana, commonly know as 4840 S. Lafayette Street

Lot 422 Lafayette Place Add Ex Street in the City of Fort Wayne, Allen County, Indiana, commonly known as 4844 S. Lafayette Street

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 99-5-16-12-2

ESTABLISHING VARIABLE CONVEYANCE CHARGES FOR WHOLESALE CONTRACT CUSTOMERS

WHEREAS, pursuant to Indiana Code 36-9-23-25, the Common Council of the City of Fort Wayne Indiana has enacted a User Charge System and a Sewer Use Ordinance as contained in Chapter 51 of the Fort Wayne Code of Ordinances; and

WHEREAS, the Fort Wayne Code of Ordinances calls for an annual review of the Water Pollution Control Utility's current service charges and surcharges by the Board of Public Works to determine whether said charges provide sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including the cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility operation; and

WHEREAS, State law (I.C. 8-1.5-3-8) states that rates and charges of municipally owned utilities are unlawful if they are too low to produce income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient services, and

WHEREAS, the Water Pollution Control Utility has incorporated plans for the treatment plant, sewer capacity and water quality capital projects into the Sewer Capital Improvement Program; and

WHEREAS, the Water Pollution Control Utility capital, operation and maintenance costs have been examined in a cost of service study completed in June 2009, which allocates the costs of the utility across customer classes; and

WHEREAS, the Board of Public Works establishes variable conveyance charges for the wholesale contract customer class of the Water Pollution Control Utility; and

WHEREAS, rates and charges for Huntertown were previously set at retail rates when it was deemed by the Board that Huntertown's wholesale contract had been terminated; and

WHEREAS, the wholesale contract between Fort Wayne City Utilities and Huntertown has been reaffirmed and variable conveyance charges for Huntertown have been calculated consistent with the method applied to other customers in the class; and

WHEREAS, upon review of the Sewer Capital Improvement Program, operation and maintenance costs and the cost of service study, the Board of Public Works of the City of Fort Wayne, in accordance with I.C. 36-9-23-25, finds that except for the variable conveyance charges applied to Huntertown, all other rates and charges for the use of and services rendered by the Water Pollution Control Utility as previously approved and effective on the then designated dates provide sufficient revenue to:

(a) Pay all expenses incidental to the operation of the sewage works including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations; and

(b) Provide the sinking fund required by I.C. 36-9-23-21 for proposed debt;
(c) Provide adequate money to be used as working capital; and
(d) Provide adequate money for improving and replacing the works, specifically those projects that will contribute toward combined sewer system improvements and treatment plant improvements.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Board of Public Works of the City of Fort Wayne, Indiana rescinds the retail customer based rates that have been applied to Huntertown and establishes new variable conveyance rates consistent with "Exhibit A";
2. The Board of Public Works of the City of Fort Wayne, Indiana deems it in the best interest of the Fort Wayne Water Pollution Control Utility, in order to provide income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service to its users while implementing requirements of the EPA and the Utility's approved Capital Improvements Plan, that the variable conveyance charge for wholesale contract customers should be set according to "Exhibit A" attached, the treatment portion of the rates having already been set by City Council.
3. That the attached rate schedule shall become effective on the dates shown on the schedule.

Approved this 16th day of May, 2012.

FORT WAYNE, INDIANA
BOARD OF PUBLIC WORKS

Robert Kennedy, Chair

John Urbahns, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

EXHIBIT A

FORT WAYNE MUNICIPAL SEWAGE WORKS
City of Fort Wayne

Table of Sewage Works Wholesale Conveyance Rates

	Per 100 Cubic Feet **Effective Date**			
Variable Conveyance Rates	April 1, 2010	July 1, 2010	July 1, 2011	July 1, 2012
Grabill				$ 0.4887
* Huntertown	$ 0.3216	$ 0.3698	$ 0.3698	0.3698
Leo-Cedarville				0.4198
Maysville				0.4667
New Haven				0.0628
Allen County Regional Water and Sewer District				
Arcola				1.9922
Canyon Run				1.5415
Hessen Cassel				0.9255
Mayhew				2.1205
Muldoon				1.4389
Monroeville / US 27				0.9255
Riverhaven				0.5050
WT, Tillman, Trentman				0.9255
Winchester, Dodane				1.4389
Bostick				1.4389

Notes:

Treatment rates were approved via Council Ordinance # G-09-05-08

* Rescind retail rates for Huntertown and establish rates consistently calculated as all other wholesale customers listed above.

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: May 7, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$73,432.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the LTCP Program Management project, the CSSCIP Planning and Design project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the Snider/Glenwood Park Sewer Separation project and the Pontiac St. Sewer Separation project.

Draw #373	URS Corp.	$ 1,673.00
Draw #374	Robert E. Crosby	30,514.00
Draw #375	Clark Dietz Inc.	9,112.00
Draw #376	Construction Support Services	260.00
Draw #377	GAI Consultants	11,262.00
Draw #378	CH2M Hill	20,611.00
	Total Payments	**$73,432.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

John Urbahns, Member

Date: May 16, 2012

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: May 9, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,353,892.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw #48 & #52	Weigand Construction Co. & Lake City Bank	$ 894,973.00
Draw #49	Engineering Technologies	10,075.00
Draw #50	Insituform Technologies & 5th Third Bank	335,889.00
Draw #51	American Structurepoint Inc.	19,602.00
Draw #53, #54 & #55	CH2M Hill	49,816.00
Draw #56	Mason Engineering & Construction	43,537.00
	Total Payments	**$1,353,892.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

John Urbahns, Member

May 16, 2012
Date

TO: Victoria Guerrero - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: May 7, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$319,480.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Westside Pump Station project and the 3RFP UV Disinfection Improvement project.

Draw #64	Kendall Electric Inc.	$ 1,022.00
Draw #65	D L Z	18,500.00
Draw #66	Kokosing Construction Co.	280,445.00
Draw #67	CH2M Hill	19,513.00
	Total	**$319,480.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

John Urbahns, Member

May 16, 2012
Date

IMPROVEMENT RESOLUTION NO. 12283

2012 – B RESURFACING PACKAGE
WORK ORDER NO. 12283

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **Street resurfacing in the fourth, fifth, and sixth council districts by milling and resurfacing at a maximum of 3". Sewer castings will be replaced and/or adjusted per Utility Engineering. Patching depths will not exceed 10".**

4TH DISTRICT

HICKORY CREEK DR	KUMFER TO LWR HUNTINGTON
CROWN POINT DR	CUL-DE-SAC TO MIDDLE GROVE
CROWN POINT DR	MIDDLE GROVE TO 110' EAST
MIDDLE GROVE ROAD	CROWN POINT TO LIBERTY MILLS
LANEWOOD CT	CUL-DE-SAC TO MIDDLE GROVE
SCHUYLER CT	CUL-DE-SAC TO MIDDLE GROVE
MORNING MIST TR	SKY BLUE TO DOGWOOD
BITTER DELL COURT	DELL LOCH WAY TO CUL-DE-SAC

5TH DISTRICT

JACKSON ST	LEYKAUF TO LAVINA
BARR ST	DEAD END TO DOUGLAS
ELIZA ST	FRANCIS TO GAY
SCOTT AVE	BROADWAY TO MINER
GRACE	BROADWAY TO INDIANA
LEYKAUF ST	UNION TO JACKSON
INDIAN VILLAGE BLVD	WAWONAISSA TO NOKOMIS
LEITH ST	HANNA TO LAFAYETTE

6TH DISTRICT

ESMOND	BARR TO LAFAYETTE
CHATFIELD CT	DÉCOR TO DEAD END
LUNADA DR	EAGLEDALE TO DEAD END
CAPITOL AVE	LILLIE TO ANTHONY
MAPLE GROVE	HESSEN CASSLE TO WERLING
CAPITOL AVE	E PL #2803 TO WERLING
DECOR DR	DEAD END TO ALTADENA

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 23rd day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: 2012 - B RESURFACING PACKAGE

RES. NO.: 12283
W.O. NO.: 12283

TOTAL BID AMT: _____

required completion date: August 31, 2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date: June 13, 2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	SURFACE MILLING, BITUMINUS	55976	SY		
2	BITUMINUS BINDER #8 OR #9	592	TON		
3	BITUMINUS BINDER #11	1687	TON		
4	BITUMINUS SURFACE #12	4509	TON		
5	BITUMINUS MATERIAL FOR PATCHING (UNDISTRIBUTED QUANTITY)	35	TON		
6	BITUMINUS MATERIAL FOR APPROACHES (UNDISTRIBUTED QUANTITY)	109	TON		
7	WATER VALVE ADJUSTED TO GRADE	3	EA		
8	WATER VALVE FURNISHED & ADJUSTED TO GRADE (UNDISTRIBUTED QUANTITY)	1	EA		
9	CASTING ADJUSTED TO GRADE (UNDISTRIBUTED QUANTITY)	3	EA		
10	CASTING FURNISHED BY WPCM AND ADJUSTED TO GRADE (UNDISTRIBUTED QUANTITY)	1	EA		
11	PAVEMENT MARKING, TEMPORARY,YELLOW , (4" WIDE TAPE) 4' LINE 36' GAP	56	EA		
12	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" STOP BAR	60	LF		
13	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" CROSS WALK (PIANO KEYS)	536	LF		
14	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 6" CROSS WALK (UNDISTRIBUTED QUANTITY)	165	LF		
15	PAVEMENT MARKING, YELLOW, THERMOPLASTIC, 4" SKIP (CENTERLINE)	70	LF		
16	PAVEMENT MARKING, YELLOW, THERMOPLASTIC, 4" SOLID (CENTERLINE)	150	LF		
17	BITUMINUS MATERIAL FOR TACK COAT	25	TON		
18	MAINTENANCE OF TRAFFIC	1	LS		
19	MOBILIZATION AND DEMOBILIZATION	1	LS		

ESTIMATE OF QUANTITIES

RES. NO.: 12283
W.O. NO.: 12283

proj: 2012 - B RESURFACING PACKAGE

Bid Estimate:	$469,998.80
estimated e&i:	$30,000.00
Total estimate:	$499,998.80

Date: 14-May-12

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	SURFACE MILLING, BITUMINUS	55976	SY	$0.80	$44,780.80
2	BITUMINUS BINDER #8 OR #9	592	TON	$46.00	$27,232.00
3	BITUMINUS BINDER #11	1687	TON	$50.00	$84,350.00
4	BITUMINUS SURFACE #12	4509	TON	$55.00	$247,995.00
5	BITUMINUS MATERIAL FOR PATCHING (UNDISTRIBUTED QUANTITY)	35	TON	$125.00	$4,375.00
6	BITUMINUS MATERIAL FOR APPROACHES (UNDISTRIBUTED QUANTITY)	109	TON	$80.00	$8,720.00
7	WATER VALVE ADJUSTED TO GRADE	3	EA	$70.00	$210.00
8	WATER VALVE FURNISHED & ADJUSTED TO GRADE (UNDISTRIBUTED QUANTITY)	1	EA	$150.00	$150.00
9	CASTING ADJUSTED TO GRADE (UNDISTRIBUTED QUANTITY)	3	EA	$175.00	$525.00
10	CASTING FURNISHED BY WPCM AND ADJUSTED TO GRADE (UNDISTRIBUTED QUANTITY)	1	EA	$260.00	$260.00
11	PAVEMENT MARKING, TEMPORARY,YELLOW , (4" WIDE TAPE) 4' LINE 36' GAP	56	EA	$1.00	$56.00
12	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" STOP BAR	60	LF	$7.00	$420.00
13	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" CROSS WALK (PIANO KEYS)	536	LF	$11.00	$5,896.00
14	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 6" CROSS WALK (UNDISTRIBUTED QUANTITY)	165	LF	$1.00	$165.00
15	PAVEMENT MARKING, YELLOW, THERMOPLASTIC, 4" SKIP (CENTERLINE)	70	LF	$1.00	$70.00
16	PAVEMENT MARKING, YELLOW, THERMOPLASTIC, 4" SOLID (CENTERLINE)	150	LF	$1.00	$150.00
17	BITUMINUS MATERIAL FOR TACK COAT	25	TON	$125.00	$3,125.00
18	MAINTENANCE OF TRAFFIC	1	LS	$17,190.00	$17,190.00
19	MOBILIZATION AND DEMOBILIZATION	1	LS	$24,329.00	$24,329.00

IMPROVEMENT RESOLUTION NO. 12289

AVONDALE DRIVE SIDEWALKS
WORK ORDER NO. 12289

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: Sidewalks in the 3500 block of Avondale Drive from Oxford Street to Hamilton Avenue (west side only).

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for sidewalks, yardwalks and or curb shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for curb ramps, wing walks, tree removal and replacement shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 23rd day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.:
W.O. NO.: 12289

proj: AVONDALE DRIVE SIDEWALKS

Bid Estimate:	$10,076.00
estimated e&i:	$2,520.00
Total estimate:	$12,596.00

Date:

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	38	SY	$6.50	$247.00
2	REMOVAL OF CURBS	40	LF	$6.50	$260.00
3	CONCRETE SIDEWALK (4")	162	SY	$25.00	$4,050.00
4	CONCRETE WINGWALK & RAMPS (6")	24	SY	$40.00	$960.00
5	ADA SOLUTIONS, ARMOR-TILE OR APPROVED EQUAL REPLACEABLE 2'X4' COMPOSITE WETSET TACTILE WARNING SURFACE UNITS	4	EA	$200.00	$800.00
6	CONCRETE CURB TYPE III	40	LF	$15.00	$600.00
7	CASTING ADJUSTED TO GRADE	2	EA	$125.00	$250.00
8	BED COURSE MATERIAL	40	TN	$13.00	$520.00
9	TOPSOIL	15	TN	$15.00	$225.00
10	HYDRO-SEED	70	SY	$2.00	$140.00
11	SEDIGUARD INLET PROTECTION	2	EA	$50.00	$100.00
12	COMMON EXCAVATION	29	CY	$25.00	$725.00
13	MAINTENANCE OF TRAFFIC	1	LS	$355.00	$355.00
14	MOBILIZATION AND DEMOBILIZATION	1	LS	$444.00	$444.00
15	TREE REMOVAL 8" -17" (stump removed 6" below grade)	1	EA	$400.00	$400.00

IMPROVEMENT RESOLUTION NO. 12293

2012 – 1st DISTRICT CONCRETE STREET REPAIRS
WORK ORDER NO. 12293

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: ARLINGTON PARK NEIGHBORHOOD AT 5321 THROUGH 5606 LITCHFIELD ROAD BY RECONSTRUCTING THE CONCRETE PAVEMENT AS NEEDED. AND WALDEN NEIGHBORHOOD AT 5922 TO 5910 VANCE AVENUE BY RECONSTRUCTING THE CONCRETE PAVEMENT AS NEEDED ALSO BY RECONSTRUCTING NEW WINGWALK AND CURB RAMPS WITH RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 23rd day of May, 2012

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria G. Edwards, Clerk

BID
CONTRACTOR:

proj: 2012 - 1st District Concrete Street Repairs

RES. NO.: 12293
W.O. NO.: 12293

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: July 27, 2012

Bid Date: 6/13/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement - includes Type "I-A" Curb	2085	SY		
2	Removal of Concrete	36	SY		
3	Cement Concrete Pavement,Plain 7" Incl."type I-A curb"	2085	SY		
4	Concrete Wingwalk And Curb Ramps	12	SY		
5	Brick Red ADA Replacable 2' x 4' Composite Wet Set Warning Surface Units	2	EA		
6	Concrete Sidewalk (4")	24	SY		
7	1" Expansion Joint	200	LF		
8	Compacted aggregate for base "O" - #53	330	TON		
9	Bed Coarse Material	5	TON		
10	Backfill For Behind Curbs	100	TON		
11	Top Soil	65	TON		
12	Hydroseeding with Polymer (Erosion Control)	500	SY		
13	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	3	EA		
14	Construction Signs Type "A"	5	EA		
15	Standard Barricade, Type III with Lights & Signs	5	EA		
16	Mobilization and Demobilization	1	LS		
17	Maintenance of Traffic	1	LS		
18	Work allowance	1	LS	$2,000.00	

ESTIMATE OF QUANTITIES

RES. NO.: 12293
W.O. NO.: 12293

proj: 2012 - 1st District Concrete Street Repairs

Bid Estimate: $87,625.00
estimated e&i: $21,900.00
Total estimate: $109,525.00

Date: 5/21/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement - includes Type "I-A" Curb	2085	SY	$6.00	$12,510.00
2	Removal of Concrete	36	SY	$5.50	$198.00
3	Cement Concrete Pavement,Plain 7" Incl."type I-A curb"	2085	SY	$26.00	$54,210.00
4	Concrete Wingwalk And Curb Ramps	12	SY	$40.00	$480.00
5	Brick Red ADA Replacable 2' x 4' Composite Wet Set Warning Surface Units	2	EA	$200.00	$400.00
6	Concrete Sidewalk (4")	24	SY	$23.00	$552.00
7	1" Expansion Joint	200	LF	$5.00	$1,000.00
8	Compacted aggregate for base "O" - #53	330	TON	$15.00	$4,950.00
9	Bed Coarse Material	5	TON	$15.00	$75.00
10	Backfill For Behind Curbs	100	TON	$13.00	$1,300.00
11	Top Soil	65	TON	$15.00	$975.00
12	Hydroseeding with Polymer (Erosion Control)	500	SY	$2.00	$1,000.00
13	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	3	EA	$75.00	$225.00
14	Construction Signs Type "A"	5	EA	$50.00	$250.00
15	Standard Barricade, Type III with Lights & Signs	5	EA	$100.00	$500.00
16	Mobilization and Demobilization	1	LS	$3,900.00	$3,900.00
17	Maintenance of Traffic	1	LS	$3,100.00	$3,100.00
18	Work allowance	1	LS	$2,000.00	$2,000.00

IMPROVEMENT RESOLUTION NO. 12304

2012 - ON CALL LOCAL CONCRETE STREET REPAIRS
WORK ORDER NO. 12304

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Various locations throughout the city of Fort Wayne by repairing concrete residential roadways.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 23rd day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: 2012 - ON CALL LOCAL CONCRETE STREET REPAIRS

RES. NO.: 12304
W.O. NO.: 12304

TOTAL BID AMT: _____

required completion date: 10/31/2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Special Cement Concrete Pavement , Plain 7", Class A - See Special Provisions for all items included in S.Y. price	1	SY		

ESTIMATE OF QUANTITIES

RES. NO.: 12304
W.O. NO.: 12304

proj: 2012 - ON CALL LOCAL CONCRETE STREET REPAIRS

Bid Estimate: $67.00
estimated e&i:
Total estimate: $67.00

Date: 5/17/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Special Cement Concrete Pavement , Plain 7", Class A - See Special Provisions for all items included in S.Y. price	1	SY	$67.00	$67.00

IMPROVEMENT RESOLUTION NO. 12314

CENTRAL DRIVE CONCRETE STREET REPAIRS
WORK ORDER NO. 12314

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: That it is deemed necessary to improve: CENTRAL DRIVE, FROM RUDISILL BOULVARD TO OXFORD STREET, BY RECONSTRUCTION OF THE CONCRETE ROADWAY, I.E. PARTIAL CONCRETE PAVEMENT REPLACEMENT; WHICH INCLUDES INTREGAL CURBS, TOPSOIL AND HYDRO-SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 23rd day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: Central Drive Concrete Street Repairs - Rudisill Blvd. to Oxford Street

RES. NO.: 12314
W.O. NO.: 12314

TOTAL BID AMT: _____

required completion date: August 31, 2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____

Bid Date: **Contractors Signature**

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS		
2	Removal of Concrete Pavement	3000	SY		
3	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	3000	SY		
4	Drive Approach, "Undistributed"	30	SY		
5	Removal of Tree Stump	2	EA		
6	Type "O" compacted Aggregate for Base No. 53 (2" depth under pavement)	450	TN		
7	Backfill Behind Curb	115	TN		
8	1" Expansion Joint	54	LF		
9	Casting, Adjust To Grade	9	EA		
10	Water Valves (Valve-Box) Adjusted to Grade	3	EA		
11	Top Soil	65	TN		
12	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	800	SY		
13	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	12	EA		
14	Construction Signs, Type A	2	EA		
15	Standard Barricade, Type III-B	4	EA		
16	Standard Barricade, Type III-B With Signs, Type B Construction	2	EA		
17	Maintenance of Traffic	1	LS		
18	Work Allowance	1	LS	$2,000.00	

It

ESTIMATE OF QUANTITIES

RES. NO.: 12314
W.O. NO.: 12314

proj: Central Drive Concrete Street Repairs - Rudisill Blvd. to Oxford Street

Bid Estimate: $118,948.00
estimated e&i: $21,052.00
Total estimate: $140,000.00

Date: 5/15/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS	$3,000.00	$3,000.00
2	Removal of Concrete Pavement	3000	SY	$6.00	$18,000.00
3	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	3000	SY	$25.75	$77,250.00
4	Drive Approach, "Undistributed"	30	SY	$40.00	$1,200.00
5	Removal of Tree Stump	2	EA	$200.00	$400.00
6	Type "O" compacted Aggregate for Base No. 53 (2" depth under pavement)	450	TN	$17.30	$7,785.00
7	Backfill Behind Curb	115	TN	$1.00	$115.00
8	1" Expansion Joint	54	LF	$7.00	$378.00
9	Casting, Adjust To Grade	9	EA	$325.00	$2,925.00
10	Water Valves (Valve-Box) Adjusted to Grade	3	EA	$75.00	$225.00
11	Top Soil	65	TN	$14.00	$910.00
12	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	800	SY	$1.80	$1,440.00
13	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	12	EA	$50.00	$600.00
14	Construction Signs, Type A	2	EA	$50.00	$100.00
15	Standard Barricade, Type III-B	4	EA	$100.00	$400.00
16	Standard Barricade, Type III-B With Signs, Type B Construction	2	EA	$110.00	$220.00
17	Maintenance of Traffic	1	LS	$2,000.00	$2,000.00
18	Work Allowance	1	LS	$2,000.00	$2,000.00

LEXINGTON & OAKDALE STORM SEWER EXTENSION
WO#75602

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the following:

> The construction of approximately 3,750 lf of 12", 15", 18", 24", 30" and 36" RCP of storm sewer extensions, which will connect to inlets and catch basins that are currently connected to the combined system. These storm sewer extensions will be installed along Old Mill Road, Sheridan Court, Arlington Avenue, Lexington Avenue, South Wayne Avenue, French Avenue and Hoagland Avenue. Water main replacement will also be a part of this project along Sheridan Court and Kimmel Drive. It will also consist of the construction of 1,425 of 8" HDPE which will be installed by horizontal directional drill (HDD).

Said improvements, with all their appurtenances, shall be constructed in accordance with the drawings and specifications titled, **Lexington & Oakdale Storm Sewer Extension**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Utilities 2012 SRF Sewer Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States that no additional costs will be associated with the purchase of any land associate with this project.

Declares the estimate of the project's total cost of **$1,293,000.00.**

APPROVED THIS 23rd **DAY OF** May **, 2012.**

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
Kumar Menon, Member

BY: _____
Mike Avila, Member

ATTEST: _____
Victoria G. Edwards, Clerk

IMPROVEMENT RESOLUTION NO. 12286

2012 –SURFACE MILLING PACKAGE
WORK ORDER NO. 12286

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: The following by the milling of the asphalt streets to accept new asphalt to be placed by the City of Fort Wayne Street Department.

STREET NAME	FROM	TO
Parnell	State St.	St. Joe
Jefferson Blvd.	Clay	Hanna
Paulding Road	Calhoun	Fairfield – Outside lanes only (approx. 12' lanes)
Pontiac St.	Anthony	Adams - Outside lanes only (approx. 12' lanes)
Runnion	Main	Railroad
Pettit	Calhoun	Old Mill
S. Wayne	Sherwood Terrace	Maple Grove
Taylor	Broadway	Fairfield
Oxford	Warsaw	Hanna
Roxbury	S. Wayne	Fairfield
Calhoun	Main	Superior – Northbound lane only
Warsaw	Oxford	Suttenfield
Forest Valley	Forestview	Blairwood
Glencairn	Dodge	Woodstock
Tillman	Lower Huntington	John - Outside lanes only (approx. 12' lanes)
Long Road	Asher	Shordon
Maumee	Wabash	Fairview - South lane only (approx. 12' lanes)
Hanna	Rudisill	Eckart - North lane only (approx. 12' lanes)
Asher	Long	Greyhorn

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 30th day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chair

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: Surface Milling for Street Dept. - 2012

RES. NO.: 12286
W.O. NO.: 12286

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: Sept 15th, 2012

Bid Date: 6/20/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS		
2	Surface Milling 1" - 3" in Depth	96009.25	SY		
3	Maintenance of Traffic	1	LS		

ESTIMATE OF QUANTITIES

RES. NO.: 12286
W.O. NO.: 12286

proj: Surface Milling for Street Dept. - 2012

Bid Estimate:	$142,612.49
estimated e&i:	$20,000.00
Total estimate:	$162,612.49

Date: 5/25/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS	$4,000.00	$4,000.00
2	Surface Milling 1" - 3" in Depth	96009.25	SY	$1.35	$129,612.49
3	Maintenance of Traffic	1	LS	$9,000.00	$9,000.00

IMPROVEMENT RESOLUTION NO. 12291

2012 - 5th District Concrete Street Repair
WORK ORDER NO. 12291

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve Kimberton Dr. from Downington Dr. to Hanna St. by reconstructing the existing concrete pavement and installing underdrains and curb ramps, and on Van Buren St. from Greenly St. to Superior St. by reconstructing the existing concrete pavement, alley approach, and drive approach as needed.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 30th day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: 2012 - 5th District Concrete Street Repairs

RES. NO.: 12291
W.O. NO.: 12291

TOTAL BID AMT: _____

required completion date: September 29, 2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date: 6/20/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete	75	SY		
2	Removal of Pavement	895	SY		
3	Concrete Sidewalk (4")	35	SY		
4	Corner Wingwalks and Ramps	40	SY		
5	Cement Concrete Pavement, Plain, (7") Class A Concrete	610	SY		
6	Cement Concrete Pavement, Plain, (9") Class A Concrete	220	SY		
7	Concrete Pavement for Commercial Drive and Alley Approach 8"	65	SY		
8	Type "O" Compacted Aggregate for Base, No 53	200	TON		
9	Backfill for Behind Curbs	45	TON		
10	Topsoil	26	TON		
11	Hydroseeding with Hydrostick or Equivalent Polymer for Erosion Control	145	SY		
12	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' X 4' Compisite Wetset Tactile Warning Surface Units	4	EA		
13	Underdrain, 6" Perforated Plastic, Group K Pipe(Incl. #8 Aggregate Backfill)	365	LF		
14	New 2' X 2' Curb and Gutter Casting Furnished and Adjusted to Grade	2	EA		
15	New 24" Sanitary Manhole Casting, Furnish and Adjust to Grade	2	EA		
16	Water Valve, Line Valve, Adjusted to Grade	1	EA		
17	Sediguard Inlet Protection Device or Approved Equal	8	EA		
18	Construction Sign Type A	15	EA		
19	Standard Barricade Type III with Road Closed Local Traffic Only Sign	7	EA		
20	Standard Barricade Type III	9	EA		
21	Mobilization / Demobilization	1	LS		
22	Maintance of Traffic	1	LS		
23	Work Allowance	1	LS	$5,000.00	

ESTIMATE OF QUANTITIES

RES. NO.: 12291
W.O. NO.: 12291

proj: 2012 - 5th District Concrete Street Repairs

Bid Estimate: $60,285.00
estimated e&i: $15,071.25
Total estimate: $75,356.25

Date: 5/22/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete	75	SY	$7.00	$525.00
2	Removal of Pavement	895	SY	$7.00	$6,265.00
3	Concrete Sidewalk (4")	35	SY	$25.00	$875.00
4	Corner Wingwalks and Ramps	40	SY	$40.00	$1,600.00
5	Cement Concrete Pavement, Plain, (7") Class A Concrete	610	SY	$25.00	$15,250.00
6	Cement Concrete Pavement, Plain, (9") Class A Concrete	220	SY	$35.00	$7,700.00
7	Concrete Pavement for Commercial Drive and Alley Approach 8"	65	SY	$35.00	$2,275.00
8	Type "O" Compacted Aggregate for Base, No 53	200	TON	$15.00	$3,000.00
9	Backfill for Behind Curbs	45	TON	$10.00	$450.00
10	Topsoil	26	TON	$15.00	$390.00
11	Hydroseeding with Hydrostick or Equivalent Polymer for Erosion Control	145	SY	$2.00	$290.00
12	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' X 4' Compisite Wetset Tactile Warning Surface Units	4	EA	$250.00	$1,000.00
13	Underdrain, 6" Perforated Plastic, Group K Pipe(Incl. #8 Aggregate Backfill)	365	LF	$8.00	$2,920.00
14	New 2' X 2' Curb and Gutter Casting Furnished and Adjusted to Grade	2	EA	$450.00	$900.00
15	New 24" Sanitary Manhole Casting, Furnish and Adjust to Grade	2	EA	$450.00	$900.00
16	Water Valve, Line Valve, Adjusted to Grade	1	EA	$75.00	$75.00
17	Sediguard Inlet Protection Device or Approved Equal	8	EA	$75.00	$600.00
18	Construction Sign Type A	15	EA	$90.00	$1,350.00
19	Standard Barricade Type III with Road Closed Local Traffic Only Sign	7	EA	$100.00	$700.00
20	Standard Barricade Type III	9	EA	$80.00	$720.00
21	Mobilization / Demobilization	1	LS	$4,000.00	$4,000.00
22	Maintance of Traffic	1	LS	$3,500.00	$3,500.00
23	Work Allowance	1	LS	$5,000.00	$5,000.00

IMPROVEMENT RESOLUTION NO. 12311

LOUISEDALE DRIVE CONCRETE STREET REPAIRS
WORK ORDER NO. 12311

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Louisedale Drive from Vail Court to Aspen Court by removing and replacing deteriorating concrete street pavement.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 30th day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12311
W.O. NO.: 12311

proj: Louisdale Drive

Bid Estimate:	$56,945.50
estimated e&i:	$14,111.40
Total estimate:	$71,056.90

Date: 5/22/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement - includes Type "I-A" Curb	1073	SY	$5.50	$5,901.50
2	Cement Concrete Pavement, Plain, 7 inches, Class A - Includes Type "I-A" Curb	1073	SY	$29.00	$31,117.00
3	Coarse Aggregate, No. 8, (140#/cf) for Base	347	TON	$14.00	$4,858.00
4	2' x 2' Curb and Gutter Casting	3	EA	$450.00	$1,350.00
5	Underdrain, 6" Perforated Plastic, Group "K" - Stone Quantity included in Coarse Aggregate Item	450	LF	$5.00	$2,250.00
6	Adjust Water Valve Box to Grade (Undistributed)	1	EA	$25.00	$25.00
7	Top Soil	45	TON	$14.00	$630.00
8	Hydroseed with Hydrostik or Equivalent Polymer for Erosion Control	142	SY	$2.00	$284.00
9	Common Excavation (Undistributed)	10	CY	$10.00	$100.00
10	Work Allowance	1	As Needed	$3,500.00	$3,500.00
11	Stabilization Fabric, Terra Tex HD or approved equal (Undistributed)	225	SY	$6.00	$1,350.00
12	Inlet Protection Device for Stormwater and Erosion Control	3	EA	$50.00	$150.00
13	Mobilization and Demobilization	1	LS	$2,500.00	$2,500.00
14	Maintenance of Traffic	1	LS	$2,250.00	$2,250.00
15	Type III Barricade w/lights	4	EA	$100.00	$400.00
16	Type "A" Signs	4	EA	$70.00	$280.00

BID

CONTRACTOR:

proj: Louisdale Drive

RES. NO.: 12311
W.O. NO.: 12311

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: August 15th, 2012

Bid Date: June 20th, 2012

Contractors Signature _____

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement - includes Type "I-A" Curb	1073	SY		
2	Cement Concrete Pavement, Plain, 7 inches, Class A - Includes Type "I-A" Curb	1073	SY		
3	Coarse Aggregate, No. 8, (140#/cf) for Base	347	TON		
4	2' x 2' Curb and Gutter Casting	3	EA		
5	Underdrain, 6" Perforated Plastic, Group "K" - Stone Quantity included in Coarse Aggregate Item	450	LF		
6	Adjust Water Valve Box to Grade (Undistributed)	1	EA		
7	Top Soil	45	TON		
8	Hydroseed with Hydrostik or Equivalent Polymer for Erosion Control	142	SY		
9	Common Excavation (Undistributed)	10	CY		
10	Work Allowance	1	As Needed	$3,500.00	
11	Stabilization Fabric, Terra Tex HD or approved equal (Undistributed)	225	SY		
12	Inlet Protection Device for Stormwater and Erosion Control	3	EA		
13	Mobilization and Demobilization	1	LS		
14	Maintenance of Traffic	1	LS		
15	Type III Barricade w/lights	4	EA		
16	Type "A" Signs	4	EA		

IMPROVEMENT RESOLUTION NO. 12312
2012 – 3rd DISTRICT CONCRETE STREET REPAIRS
WORK ORDER NO. 12312

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Blackstone Drive from Goshen to Deerfield and Midnight Pass from Windrush Drive to Butler Road by removing and replacing deteriorating concrete street pavement.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 30th day of May, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12312
W.O. NO.: 12312

proj: 2012 - 3rd District Concrete Street Repairs

Bid Estimate:	$74,764.81
estimated e&i:	$18,324.00
Total estimate:	$93,088.81

Date: 5/22/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement - includes Type "I-A" Curb	1270	SY	$5.50	$6,985.00
2	Removal of Concrete	44.25	SY	$5.25	$232.31
3	Cement Concrete Pavement, Plain, 7 inches, Class A - Includes Type "I-A" Curb	1270	SY	$29.00	$36,830.00
4	Cement Concrete Pavement for Residential Drive (6"), Undistributed	29.5	SY	$29.00	$855.50
5	Coarse Aggregate, No. 8, (140#/cf) for Base	275	TON	$14.00	$3,850.00
6	2' x 2' Curb and Gutter Casting	3	EA	$450.00	$1,350.00
7	Underdrain, 6" Perforated Plastic, Group "K" - Stone Quantity included in Coarse Aggregate Item	530	LF	$5.00	$2,650.00
8	Bed Coarse Material	60	TON	$14.00	$840.00
9	Concrete Wingwalk and Curb Ramps	22	SY	$30.00	$660.00
10	Concrete Sidewalk (4")	22.25	SY	$24.00	$534.00
11	Top Soil	99	TON	$14.00	$1,386.00
12	Hydroseed with Hydrostik or Equivalent Polymer for Erosion Control	141	SY	$2.00	$282.00
13	Common Excavation (Undistributed)	10	CY	$10.00	$100.00
14	Work Allowance	1	As Needed	$4,000.00	$4,000.00
15	Geogrid, TX140 or approved equal (Undistributed) - Includes Common Excavation and Bed Coarse Backfill	150	SY	$6.00	$900.00
16	Inlet Protection Device for Stormwater and Erosion Control	3	EA	$50.00	$150.00
17	Mobilization and Demobilization	1	LS	$4,700.00	$4,700.00
18	Maintenance of Traffic	1	LS	$5,250.00	$5,250.00
19	Type III Barricade with lights	8	EA	$100.00	$800.00
20	Type "A" Signs	7	EA	$70.00	$490.00
21	ADA Solutions Armor Tile, or Approved Equal "Replaceable" 2'x4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	2	EA	$225.00	$450.00
22	Type "O" Compacted Aggregate, No. 53, for Base	105	TON	$14.00	$1,470.00

BID

CONTRACTOR:

proj: 2012 - 3rd District Concrete Street Repairs

RES. NO.: 12312
W.O. NO.: 12312

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: August 30th, 2012

Bid Date: June 20th, 2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement - includes Type "I-A" Curb	1270	SY		
2	Removal of Concrete	44.25	SY		
3	Cement Concrete Pavement, Plain, 7 inches, Class A - Includes Type "I-A" Curb	1270	SY		
4	Cement Concrete Pavement for Residential Drive (6"), Undistributed	29.5	SY		
5	Coarse Aggregate, No. 8, (140#/cf) for Base	275	TON		
6	2' x 2' Curb and Gutter Casting	3	EA		
7	Underdrain, 6" Perforated Plastic, Group "K" - Stone Quantity included in Coarse Aggregate Item	530	LF		
8	Bed Coarse Material	60	TON		
9	Concrete Wingwalk and Curb Ramps	22	SY		
10	Concrete Sidewalk (4")	22.25	SY		
11	Top Soil	99	TON		
12	Hydroseed with Hydrostik or Equivalent Polymer for Erosion Control	141	SY		
13	Common Excavation (Undistributed)	10	CY		
14	Work Allowance	1	As Needed	$4,000.00	
15	Geogrid, TX140 or approved equal (Undistributed) - Includes Common Excavation and Bed Coarse Backfill	150	SY		
16	Inlet Protection Device for Stormwater and Erosion Control	3	EA		
17	Mobilization and Demobilization	1	LS		
18	Maintenance of Traffic	1	LS		
19	Type III Barricade with lights	8	EA		
20	Type "A" Signs	7	EA		
21	ADA Solutions Armor Tile, or Approved Equal "Replaceable" 2'x4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	2	EA		
22	Type "O" Compacted Aggregate, No. 53, for Base	105	TON		

FAIRFAX STORM SEWER EXTENSION
WO#75663

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the following:

> Construction of a storm sewer extension that will be along Fairfax Avenue from South Wayne Avenue to Old Mill Road and regulator modifications to the Woodhurst Regulator. This will consist of approximately 1350 linear feet of 68" x 43" RCP and 265 lf of 54", 48", 42", 36", 30" & 12" RCP pipe. The storm sewer extension will pick up an existing storm sewers system with inlets and catch basins that are currently connected to the combined system. The project will also consist of 780 lf horizontal directional drill (HDD) water main replacement along Fairfax Avenue from South Wayne Avenue to Woodhurst Boulevard.

Said improvements, with all their appurtenances, shall be constructed in accordance with the drawings and specifications titled, **Fairfax Storm Sewer Extension**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Utilities 2012 SRF Sewer Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" (Property Acquisition Summary Sheet).

Declares the estimate of the project's total cost of **$1,745,500.00.**

APPROVED THIS 30th **DAY OF** May **, 2012.**

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
Kumar Menon, Member

BY: _____
Mike Avila, Member

ATTEST: _____
Victoria Edwards, Clerk

PROPERTY ACQUISITION SUMMARY

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NUMBER	SOURCE OF TITLE DEED RECORD NUMBER	SEWER AND DRAINAGE EASEMENT	TEMPORARY CONSTRUCTION EASEMENT	REMARKS	EASEMENT DOCUMENT NUMBER
1	Bruce & Catherine Whitman	5340 Old Mill Road Fort Wayne, IN 46807	6, 12 & 16	2012025770	X		Done	8067570
2								
3								
4								
5								
6								
7								
8								
9								
10								

ACCEPTANCE OF A SANITARY SEWER PIPE AND RELATED STRUCTURES INTO THE CITY'S PUBLIC SANITARY SEWER SYSTEM

2701 West Jefferson Boulevard, Fort Wayne, Indiana

Board of Public Works Resolution 99-5-30-12-1

THIS ACCEPTANCE OF A SANITARY SEWER PIPE AND RELATED STRUCTURES is executed this _____ day of _____, 20_____, by the City of Fort Wayne Board of Public Works ("City"), to wit:

1. Sanitary sewer service for the properties at 2525, 2545 and 2701 W. Jefferson Blvd. is provided by a private 8 inch sanitary sewer that runs north approximately 202 feet from a manhole on the south side to the north side of Jefferson Blvd. and terminating at a City public sewer manhole ("Private Sewer").

2. The aforesaid property owners have requested that the City accept the Private Sewer as part of the City's public sanitary sewer system.

3. City Utilities televised the Private Sewer and determined that it is properly constructed and in satisfactory condition.

4. City hereby accepts the following described 8 inch diameter sanitary sewer as a public sanitary sewer, to be owned, operated and maintained by the City as part of the City's public sanitary sewer system: beginning at and including a manhole in the street right-of-way on the south side of Jefferson Blvd. near the northeast corner of the property at 2701 W. Jefferson Blvd., running then northerly 95 feet under and across Jefferson Blvd. to a manhole in the street right-of-way on the north side of Jefferson Blvd. near the southeast corner of the property at 2809 W. Main St., then northeasterly 107 feet in a public utility easement to a connection with City of Fort Wayne sanitary sewer manhole I06-017, as depicted on the attached Exhibit A. The public sewer includes approximately 202 linear feet of 8 inch diameter sewer pipe and two manholes.

5. The private sanitary sewer service lines connected to the manhole on the south side of Jefferson Blvd. are not part of the public sewer system and shall remain private from and including their connections to the manhole, to the buildings served thereby.

CITY OF FORT WAYNE BOARD OF PUBLIC WORKS

By: _____
Robert P. Kennedy, Chair

By: _____
Kumar Menon, Member

By: _____
Mike Avila, Member

ATTEST: _____
Victoria G. Edwards, Clerk

Prepared by Craig Berndt, City Utilities, Development Services.

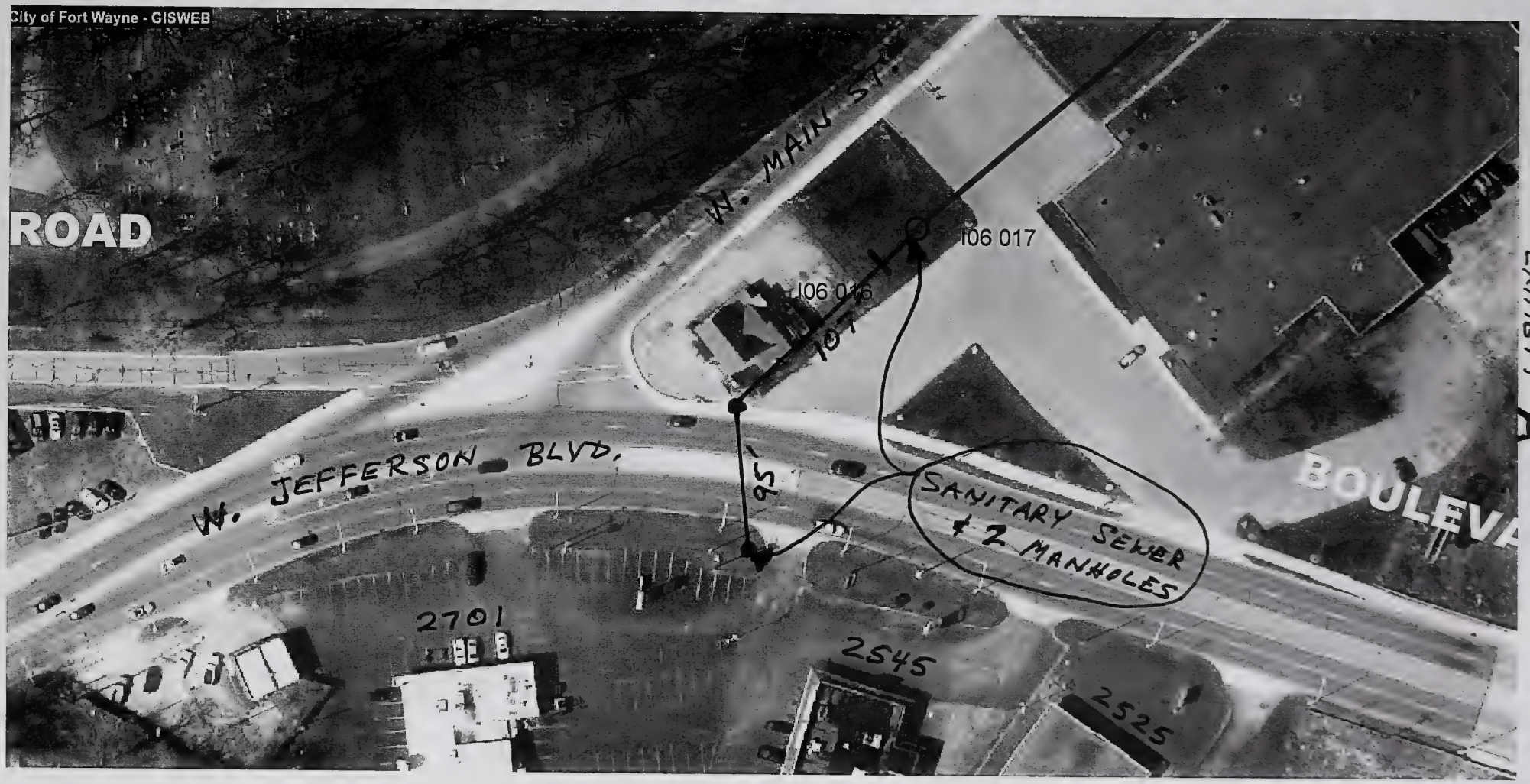

City of Fort Wayne - GISWEB
ROAD
W. MAIN ST.
I06 017
I06 016
101'
95'
W. JEFFERSON BLVD.
SANITARY SEWER
+ 2 MANHOLES
BOULEVA
2701
2545
2525

EXHIBIT A

IMPROVEMENT RESOLUTION NO. 12296

TURF LANE CONCRETE STREET REPAIRS
WORK ORDER NO. 12296

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: TURF LANE FROM 4426 TURF LANE TO ABOITE CENTER RD., BY RECONSTRUCTION OF THE CONCRETE ROADWAY, I.E. CONCRETE PAVEMENT REPLACEMENT; WHICH INCLUDES INTREGAL CURBS, UNDER-DRAIN, DRAINAGE STRUCTURE; CONCRETE CORNER WALK AND RAMPS, TOPSOIL AND HYDRO-SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 6th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards

Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: TURF LANE CONCRETE STREET REPAIRS

RES. NO.: 12296
W.O. NO.: 12296

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 8/31/2012

Bid Date: 6/27/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement	1810	SY		
2	Removal of Concrete	40	SY		
3	Cement Concrete Pavement, Plain 7" Class A (Incl. Type 1-A Curb)	1810	SY		
4	Concrete Sidewalk (4")	35	SY		
5	Concrete Wingwalk and Ramps (6")	44	SY		
6	ADA Solutions, Amor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit	4	EA		
7	Curb Type II-A	435	LF		
8	Type "O" Compacted Aggregate for Base #53	410	TN		
9	Bedcourse Material	15	TN		
10	Backfill Behind Curb	50	TN		
11	Topsoil	26	TN		
12	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	340	SY		
13	1" Expansion Joint	27	LF		
14	Underdrain 6" Perforated Plastic, Group K Pipe (Incl. #8 Stone)	890	LF		
15	2' x 3' Inlet, Complete in Place	1	EA		
16	2' x 2' Curb and Gutter Casting, Furnish & Adjust to Grade	1	EA		
17	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	2	EA		
18	Tree Remove (6" to 12" Paid as 9")	1	EA		
19	Tree Remove (12" to 24" Paid as 18")	1	EA		
20	Stump Removal	1	EA		
21	Consruction Sign, Type "A"	4	EA		
22	Consruction Sign, Type "A" with Warning Light Type "A"	3	EA		
23	Standard Barricade, Type III-B	6	EA		
24	Standard Barricade, Type III-B with Sign and Warning Light	5	EA		
25	Work Allowance	1	LS	$1,000.00	
26	Maintenance of Traffic	1	LS		
27	Mobilization / Demobilization	1	LS		

ESTIMATE OF QUANTITIES

RES. NO.: 12296
W.O. NO.: 12296

proj: TURF LANE CONCRETE STREET REPAIRS

Bid Estimate: $89,666.00
estimated e&i: $7,834.00
Total estimate: $97,500.00

Date: 5/31/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement	1810	SY	$6.00	$10,860.00
2	Removal of Concrete	40	SY	$6.00	$240.00
3	Cement Concrete Pavement, Plain 7" Class A (Incl. Type 1-A Curb)	1810	SY	$25.00	$45,250.00
4	Concrete Sidewalk (4")	35	SY	$25.00	$875.00
5	Concrete Wingwalk and Ramps (6")	44	SY	$40.00	$1,760.00
6	ADA Solutions, Amor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit	4	EA	$200.00	$800.00
7	Curb Type II-A	435	LF	$10.00	$4,350.00
8	Type "O" Compacted Aggregate for Base #53	410	TN	$14.00	$5,740.00
9	Bedcourse Material	15	TN	$14.00	$210.00
10	Backfill Behind Curb	50	TN	$3.00	$150.00
11	Topsoil	26	TN	$15.00	$390.00
12	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	340	SY	$2.00	$680.00
13	1" Expansion Joint	27	LF	$8.00	$216.00
14	Underdrain 6" Perforated Plastic, Group K Pipe (Incl. #8 Stone)	890	LF	$7.00	$6,230.00
15	2' x 3' Inlet, Complete in Place	1	EA	$2,000.00	$2,000.00
16	2' x 2' Curb and Gutter Casting, Furnish & Adjust to Grade	1	EA	$350.00	$350.00
17	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	2	EA	$50.00	$100.00
18	Tree Remove (6" to 12" Paid as 9")	1	EA	$200.00	$200.00
19	Tree Remove (12" to 24" Paid as 18")	1	EA	$600.00	$600.00
20	Stump Removal	1	EA	$200.00	$200.00
21	Consruction Sign, Type "A"	4	EA	$50.00	$200.00
22	Consruction Sign, Type "A" with Warning Light Type "A"	3	EA	$75.00	$225.00
23	Standard Barricade, Type III-B	6	EA	$90.00	$540.00
24	Standard Barricade, Type III-B with Sign and Warning Light	5	EA	$100.00	$500.00
25	Work Allowance	1	LS	$1,000.00	$1,000.00
26	Maintenance of Traffic	1	LS	$2,500.00	$2,500.00
27	Mobilization / Demobilization	1	LS	$3,500.00	$3,500.00

IMPROVEMENT RESOLUTION NO. 12301

2012 – CROWN COLONY NEIGHBORHOOD CONCRETE STREET REPAIR
WORK ORDER NO. 12301

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: CROWN COLONY NEIGHBORHOOD, CHADWICK DRIVE FROM LEIGHTON LANE TO STRATHDON DRIVE, BY RECONSTRUCTION OF THE CONCRETE ROADWAY, I.E. PARTIAL CONCRETE PAVEMENT REPLACEMENT; WHICH INCLUDES UNDERDRAINS, INTREGAL CURBS, CONCRETE CORNER WALK AND RAMPS, TOPSOIL AND HYDRO-SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 6th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: 2012 - Crown Colony Neighborhood Concrete Street Repair

RES. NO.: 12301
W.O. NO.: 12301

TOTAL BID AMT: _____

required completion date: 09/15/12

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS		
2	Removal of Concrete Pavement	1580	SY		
3	Removal of Concrete	75	SY		
4	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	1580	SY		
5	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	155	LF		
6	Concrete Wingwalk and Ramps (6")	25	SY		
7	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	2	EA		
8	ADA Solutions, Armor-Tile, or Approved Equal 2' x 4' Composite, Surface Mount, Tactile Warning Surface Unit - Brick Red	10	SY		
9	Concrete Sidewalk (4")	15	SY		
10	Concrete Pavement for Residential Drive (6")	38	SY		
11	Type "O" compacted Aggregate for Base No. 53	305	TN		
12	Bed Course Material	10	TN		
13	Backfill Behind Curb	55	TN		
14	Top Soil	50	TN		
15	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	400	SY		
16	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	5	EA		
17	1" Expansion Joint	81	LF		
18	24" Manhole Frame & Cover, Furnish & Adjust To Grade	1	EA		
19	Casting, Adjust To Grade	2	EA		
20	Water Valves (Curb-Box) Adjusted to Grade	9	EA		
21	Water Valves (Valve-Box) Adjusted to Grade	1	EA		
22	Construction Signs, Type A	6	EA		
23	Construction Signs, Type A with Construction Warning Light Type A	1	EA		
24	Standard Barricade, Type III-B	12	EA		
25	Standard Barricade, Type III-B With Signs, Type B Construction	1	EA		
26	Maintenance of Traffic	1	LS		
27	Work Allowance	1	LS	$2,000.00	

ESTIMATE OF QUANTITIES

RES. NO.: 12301
W.O. NO.: 12301

proj: 2012 - Crown Colony Neighborhood Concrete Street Repair

Bid Estimate: $74,238.50
estimated e&i: $18,861.50
Total estimate: $93,100.00

Date: 5/25/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS	$2,500.00	$2,500.00
2	Removal of Concrete Pavement	1580	SY	$6.00	$9,480.00
3	Removal of Concrete	75	SY	$6.00	$450.00
4	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	1580	SY	$26.90	$42,502.00
5	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	155	LF	$6.00	$930.00
6	Concrete Wingwalk and Ramps (6")	25	SY	$39.00	$975.00
7	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	2	EA	$190.00	$380.00
8	ADA Solutions, Armor-Tile, or Approved Equal 2' x 4' Composite, Surface Mount, Tactile Warning Surface Unit - Brick Red	10	SY	$190.00	$1,900.00
9	Concrete Sidewalk (4")	15	SY	$30.00	$450.00
10	Concrete Pavement for Residential Drive (6")	38	SY	$28.00	$1,064.00
11	Type "O" compacted Aggregate for Base No. 53	305	TN	$16.00	$4,880.00
12	Bed Course Material	10	TN	$15.00	$150.00
13	Backfill Behind Curb	55	TN	$1.00	$55.00
14	Top Soil	50	TN	$13.00	$650.00
15	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	400	SY	$1.80	$720.00
16	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	5	EA	$50.00	$250.00
17	1" Expansion Joint	81	LF	$7.50	$607.50
18	24" Manhole Frame & Cover, Furnish & Adjust To Grade	1	EA	$325.00	$325.00
19	Casting, Adjust To Grade	2	EA	$175.00	$350.00
20	Water Valves (Curb-Box) Adjusted to Grade	9	EA	$40.00	$360.00
21	Water Valves (Valve-Box) Adjusted to Grade	1	EA	$75.00	$75.00
22	Construction Signs, Type A	6	EA	$50.00	$300.00
23	Construction Signs, Type A with Construction Warning Light Type A	1	EA	$75.00	$75.00
24	Standard Barricade, Type III-B	12	EA	$100.00	$1,200.00
25	Standard Barricade, Type III-B With Signs, Type B Construction	1	EA	$110.00	$110.00
26	Maintenance of Traffic	1	LS	$1,500.00	$1,500.00
27	Work Allowance	1	LS	$2,000.00	$2,000.00

IMPROVEMENT RESOLUTION NO.12305

2012 – C RESURFACING PACKAGE
WORK ORDER NO.12305

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: STREET RESURFACING IN ALL COUNCIL DISTRICTS BY MILLING PAVEMENT SURFACE AND RESURFACING PAVEMENT: PAVEMENT MARKINGS, RAISE CASTINGS AND VALVE BOXES TO GRADE.

1ST DISTRICT

VELMAR DR	MAPLECREST RD	TO	CUL-DE-SAC
DEERPOINTE CV	VERANDAH LN	TO	DEAD END
FORESTWOOD DR	FOREST VALLEY DR	TO	LAKELAND LN
MONARCH DR	BENHAM DR	TO	MAPLECREST RD
POSTBROOK LN	WOODBURY DR	TO	CUL-DE-SAC
WOODBURY DR	POSTBROOK LN	TO	GATE TREE LANE
OAK FOREST TR	OAK BRIDGE PL	TO	BLACK OAK BLVD

2ND DISTRICT

WOODHOLLOW TR	OAKCLIFF LN	TO	CUL-DE-SAC
OAKCLIFF CT	CLIFFWOOD LN	TO	CUL-DE-SAC
OAKCLIFF LN	CLIFFWOOD LN	TO	WOODHOLLOW TR
SWIFTS RUN	CLIFFWOOD LN	TO	WOODHOLLOW TR
FIELDCREST DR	RIVEROAK DR	TO	POST OAK CT
FIELDCREST CT	POST OAK CT	TO	CUL-DE-SAC
BELLINGHAM LN	200' S. OF BELLE ISLE LN	TO	CUL-DE-SAC
BELLE ISLE LN	550' W OF BELLINGHAM LN	TO	CUL-DE-SAC

3RD DISTRICT

VALDOSTA DR	LANDSFORD DR	TO	CHA CA PETA PASS
STONEWALL RN	BUNKER HILL PL	TO	LAKELAND CV
SHERMAN BLVD	COLISEUM BLVD	TO	HALF WAY TO TRICK AV
LOUISEDALE DR	WELLS ST	TO	790' TO THE WEST
WELLS ST	LIMA RD	TO	PAST LOUISEDALE DR TO CONCRETE
ROMA RD	LEY RD	TO	WOLFE RD
WOLFE RD	ROMA RD	TO	NOB RD
PROJECTS DR	COLLINS RD	TO	DEAD END
ST. MARYS AV	STATE ST	TO	GOSHEN AVE

4TH DISTRICT

BUTTER MORE RUN	BUTTERMORE CT	TO	RIVER OAK
RIVER OAK RUN	BUTTERMORE CT	TO	ILLINOIS
SPRINGVIEW DR	#8929 SPRINGVIEW	TO	HEATHER KNOLL
AUTUMN RIDGE LN	HEATHER KNOLL	TO	ILLINOIS
SKY BLUE DR	MORNING MIST	TO	UNCAS
DOGWOOD CT	MORNING MIST	TO	CUL-DE-SAC
MOHICAN TR	MORNING MIST	TO	ARBOR
MUIR CT	ARBOR	TO	CUL-DE-SAC

WOODBRIDGE DR	**MORNING MIST**	**TO**	**UNCAS**

5TH DISTRICT

DALMAN AVE	**WARSAW**	**TO**	**HANNA**
MONROE ST	**OXFORD**	**TO**	**COLERICK**
OAKLEY ST	**TAYLOR**	**TO**	**DEWALD**
CALHOUN ST	**PAULDING**	**TO**	**MAPLE GROVE**
SOUTHCREST RD	**COX**	**TO**	**CROWN**

6TH DISTRICT

CALHOUN ST	**PAULDING**	**TO**	**MAPLE GROVE**
WARSAW ST	**HAMILTON**	**TO**	**RUDISILL**
MONROE ST	**HAMILTON**	**TO**	**RUDISILL**
BRISTOL RD	**EDGEKNOLL**	**TO**	**DUNBAR**
QUEEN ST	**ORMSBY**	**TO**	**MCKEE**
BOWSER AVE	**PONTIAC**	**TO**	**HURD**

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 6th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards

Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12305
W.O. NO.: 12305

proj: 2012 - C RESURFACING PKG

Bid Estimate: $941,810.75
estimated e&i: $56,328.00
Total estimate: $998,138.75

Date:

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	SURFACE MILLING, BITUMINOUS	119366	SY	$1.00	$119,366.00
2	BITUMINOUS BINDER NO 11, HMA	780	TON	$50.00	$39,000.00
3	BITUMINOUS BINDER NO 8 or 9, HMA	3798	TON	$50.00	$189,900.00
4	BITUMINOUS SURFACE NO 11, HMA	1582	TON	$56.00	$88,592.00
5	BITUMINOUS SURFACE NO 12, HMA	7139	TON	$58.00	$414,062.00
6	BITUMINOUS MATERIAL FOR TACK COAT	42	TON	$150.00	$6,300.00
7	BITUMINOUS MATERIAL FOR APPROACHES	70	TON	$70.00	$4,900.00
8	WATER VALVE (FURNISH AND ADJUST TO GRADE)	1	EA	$150.00	$150.00
9	WATER VALVE (ADJUST TO GRADE)	14	EA	$100.00	$1,400.00
10	CASTINGS ADJUST TO GRADE (UNDISTRIBUTED QUANTITY)	13	EA	$200.00	$2,600.00
11	CASTING (pick up from WPCM and adjust to grade) TYPE "A" NEENAH # R1772 (UNDISTRIBUTED QUANTITY)	1	EA	$350.00	$350.00
12	PAVEMENT MARKING, SOLID YELLOW, THERMOPLASTIC, 4" LANE LINE	8195	LF	$0.75	$6,146.25
13	PAVEMENT MARKING, BROKEN YELLOW, CENTERLINE THERMOPLASTIC, 4" LANE LINE	1370	LF	$0.75	$1,027.50
14	PAVEMENT MARKING, SOLID WHITE, THERMOPLASTIC, 4" LANE LINE	500	LF	$0.75	$375.00
15	PAVEMENT MARKING, BROKEN WHITE, CENTERLINE THERMOPLASTIC, 4" LANE LINE	400	LF	$0.75	$300.00
16	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" STOP BAR	164	LF	$6.50	$1,066.00
17	TRANSVERSE MARKINGS, THERMOPLASTIC, WHITE CROSS WALK LINE, 6"	400	LF	$3.00	$1,200.00
18	TEMPORARY PAVEMENT MARKING REMOVABLE, YELLOW OR WHITE 4" (4' every 36' Gap)	1450	LF	$0.75	$1,087.50
19	PAVEMENT MARKING, WHITE THERMOPLASTIC EDGE LINE 6"	2900	LF	$0.75	$2,175.00
20	TEMPORARY PAVEMENT MARKING REMOVABLE, YELLOW OR WHITE 4" (4' every 36' Gap) PAINT	825	LF	$0.75	$618.75
21	PAVMENT MARKING, 8" WHITE THEROMPLASTIC CHANNELIZING LINE	100	LF	$2.00	$200.00
22	PAVEMENT MARKING, 12" WHITE THEROMPLISTIC DIAGONAL CROSSHATCH	40	LF	$4.00	$160.00
23	PAVMENT MARKING, WORD "ONLY", WHITE THEROMPLASTIC	1	EA	$200.00	$200.00
24	PAVMENT MARKING, LEFT ARROW, WHITE THEROMPLASTIC	1	EA	$200.00	$200.00
25	SAW SLOT AND SEALER FOR LOOPS	300	LF	$12.00	$3,600.00
26	1C/14 LOOP CABLE	980	LF	$0.70	$686.00
27	2C/16 SHIELDED CABLE	555	LF	$2.25	$1,248.75
28	DETECTOR HOUSING	2	EA	$700.00	$1,400.00
29	REMOVAL OF DETECTOR HOUSING	2	EA	$300.00	$600.00
30	INTERCEPT CONDUIT	2	EA	$300.00	$600.00
31	2" STEEL CONDUIT	20	LF	$15.00	$300.00
32	MAINTENANCE OF TRAFFIC	1	LS	$22,000.00	$22,000.00
33	MOBILIZATION AND DEMOBILIZATION	1	LS	$25,000.00	$25,000.00
34	WORK ALLOWANCE	1	LS	$5,000.00	$5,000.00

BID

CONTRACTOR:

proj: 2012 - C RESURFACING PKG

RES. NO.: 12305
W.O. NO.: 12305

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: October 31, 2012

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	SURFACE MILLING, BITUMINOUS	119366	SY		
2	BITUMINOUS BINDER NO 11, HMA	780	TON		
3	BITUMINOUS BINDER NO 8 or 9, HMA	3798	TON		
4	BITUMINOUS SURFACE NO 11, HMA	1582	TON		
5	BITUMINOUS SURFACE NO 12, HMA	7139	TON		
6	BITUMINOUS MATERIAL FOR TACK COAT	42	TON		
7	BITUMINOUS MATERIAL FOR APPROACHES	70	TON		
8	WATER VALVE (FURNISH AND ADJUST TO GRADE)	1	EA		
9	WATER VALVE (ADJUST TO GRADE)	14	EA		
10	CASTINGS ADJUST TO GRADE (UNDISTRIBUTED QUANTITY)	13	EA		
11	CASTING (pick up from WPCM and adjust to grade) TYPE "A" NEENAH # R1772 (UNDISTRIBUTED QUANTITY)	1	EA		
12	PAVEMENT MARKING, SOLID YELLOW, THERMOPLASTIC, 4" LANE LINE	8195	LF		
13	PAVEMENT MARKING, BROKEN YELLOW, CENTERLINE THERMOPLASTIC, 4" LANE LINE	1370	LF		
14	PAVEMENT MARKING, SOLID WHITE, THERMOPLASTIC, 4" LANE LINE	500	LF		
15	PAVEMENT MARKING, BROKEN WHITE, CENTERLINE THERMOPLASTIC, 4" LANE LINE	400	LF		
16	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" STOP BAR	164	LF		
17	TRANSVERSE MARKINGS, THERMOPLASTIC, WHITE CROSS WALK LINE, 6"	400	LF		
18	TEMPORARY PAVEMENT MARKING REMOVABLE, YELLOW OR WHITE 4" (4' every 36' Gap)	1450	LF		
19	PAVEMENT MARKING, WHITE THERMOPLASTIC EDGE LINE 6"	2900	LF		
20	TEMPORARY PAVEMENT MARKING REMOVABLE, YELLOW OR WHITE 4" (4' every 36' Gap) PAINT	825	LF		
21	PAVMENT MARKING, 8" WHITE THEROMPLASTIC CHANNELIZING LINE	100	LF		
22	PAVEMENT MARKING, 12" WHITE THEROMPLISTIC DIAGONAL CROSSHATCH	40	LF		
23	PAVMENT MARKING, WORD "ONLY", WHITE THEROMPLASTIC	1	EA		
24	PAVMENT MARKING, LEFT ARROW, WHITE THEROMPLASTIC	1	EA		
25	SAW SLOT AND SEALER FOR LOOPS	300	LF		
26	1C/14 LOOP CABLE	980	LF		
27	2C/16 SHIELDED CABLE	555	LF		
28	DETECTOR HOUSING	2	EA		
29	REMOVAL OF DETECTOR HOUSING	2	EA		
30	INTERCEPT CONDUIT	2	EA		
31	2" STEEL CONDUIT	20	LF		
32	MAINTENANCE OF TRAFFIC	1	LS		
33	MOBILIZATION AND DEMOBILIZATION	1	LS		
34	WORK ALLOWANCE	1	LS	$5,000.00	

SNIDER HIGH SCHOOL & GLENWOOD PARK SEPARATION
WO#75606

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the following:

> The construction of approximately 665 lf of 54", 1,225 lf of 48", 775 lf of 42", 370 lf of 30", 640 of 24", and 2,185 of 18", 15" & 12" RCP storm sewer installation. The new storm sewer will pick up inlets, catch basins, and the Snider High School storm sewer system that are currently connected to the combined system. The storm sewer system will install along Reed Road, Woodstock Drive, Willard Drive, Kingsley Drive, Devon Drive, Glencarin Drive and Vance Avenue.

Said improvements, with all their appurtenances, shall be constructed in accordance with the drawings and specifications titled, **Snider High School & Glenwood Park Separation**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Utilities 2012 SRF Sewer Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States that no additional costs will be associated with the purchase of any land associate with this project.

Declares the estimate of the project's total cost of **$2,347,000.00.**

APPROVED THIS 6th **DAY OF** June **, 2012.**

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
Kumar Menon, Member

BY: Mike Avila
Mike Avila, Member

ATTEST: Victoria Edwards
Victoria G. Edwards, Clerk

HAZELHURST DRIVE LAURA LANE SEPTIC ELIMINATION
RESOLUTION NO. 2297-2010

Wo 75454

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The Hazelhurst Drive Laura Lane Septic Elimination Project consists of 52 houses that are located within the City limits and are primarily located on Hazelhurst Drive and Laura Lane between South Bend Drive and Taylor Street. The residential area is serviced by private septic tanks. The intent of the project is to provide sanitary sewer via gravity and low pressure grinder pump stations where necessary. There will be approximately 3,000 linear feet of 2" HDPE, 1500 linear feet of 8" PVC gravity, and 1100 linear feet of 15" PVC gravity. There will be 35 grinder pump stations.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Hazelhurst Drive Laura Lane Septic Elimination.**

Declares the cost of said improvements shall be paid by funds from the benefitted property owners in the project area, the Fort Wayne Sanitary Sewer Utility Septic Elimination Revolving Fund and the State Revolving Fund.

Declares that the project is being implemented via the Board of Public Works Incentive Program for Septic Elimination by City Utilities.

Declares that the property owner costs will be based on the actual total project cost at the completion of the project and will be assessed based on a pro rata share among each benefitted properties in the project area. Exhibit A – Cost Allocation Spreadsheet outlines the estimated, preliminary project cost to property owners.

Declares that this project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property in that area.

Declares that this project is of public utility benefit.

Declares that this project will be constructed entirely within existing rights-of-way and/or public easement areas.

Declares the engineer's estimate of the project's total cost is $645,065.00.

[signatures on following page]

APPROVED THIS 6th **DAY OF** June, **2012.**

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
Kumar Menon, Member

BY: Mike Avila
Mike Avila, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

DATE: 6/6/12

EXHIBIT A Initial Cost Allocation Spreadsheet

5/29/2012

Sanitary Sewer Petition Project: Hazelhurst Drive / Laura Lane Area **Septic Elimination Project - W.O# 75454 / Resolution # 2297-2010**

							City Utilites Contribution				
	Property Owner	Legal Description	Property Address	Area Connection Fee	No. of Taps	Total Per Property Cost	City Utilities Cost Share	Income Based Assistance Percent (%)	Income Based Assistance	Total City Utilities Contribution	Property Cost with Contribution Applied to Assessment
1	David J. & Barbara M. Buell	Lot 2 Hazelhurst Add	3603 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
2	GMAC Mortgage, LLC 1100 Virgina Drive Fort Washington, PA 19034	Lot 46 Hazelhurst Ext Add & E 8 Ft Lot 47	3608 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
3	John A. & Ennea A. McCammon	Lot 3 & 1/2 Vac St Hazelhurst Add	3703 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
4	Howard J. Klinger	N 1/2 of Lot 45 Hazelhurst Ext Add	3708 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
5	Kenneth A. Hoefelmeyer (Dec.) & Susan C. Deuel-Hoefelmeyer	S 1/2 of Lot 45 Hazelhurst Ext Add	3714 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
6	Marvin J. & Delphine M. Frey Trs	Lot 44 Hazelhurst Dr	3722 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
7	Lloyd L. & Kay F. Surface	Lot 5 & 1/2 Vac St Hazelhuarst Add	3725 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
8	Jessica L. Hill	Lots 42 & 43 Hazelhurst Ext Add	3812 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
9	Evelyn Louise Wynn & Laura Jane Kuker	Lots 6 & 7 & 1/2 Vac St Hazelhurst Add	3813 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
10	Jerry R. & Sharon M. Sproul	Lot 8 Hazelhurst Add & 1/2 Vac St	3901 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
11	Richard D. & Shirley C. Clark L/Est & Co-Trs	Lot 41 Hazelhurst Ext Add & Space W 120.5 Frl By 596.7 Ft Frl	3902 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
12	Evelyn Louise Wynn	Hazelhurst Ext Ex S 10 Ft Lot 40	3914 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
13	James A. Vaughn L/Est & James A. Vaughn II	Lot 9 & 1/2 Vac St Hazelhurst Add	3915 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
14	Marcia K. Grant	Lot 10 & 1/2 Vac St Hazelhurst Add	3923 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00

EXHIBIT A Initial Cost Allocation Spreadsheet

5/29/2012

Sanitary Sewer Petition Project: Hazelhurst Drive / Laura Lane Area **Septic Elimination Project - W.O# 75454 / Resolution # 2297-2010**

							City Utilites Contribution				
	Property Owner	Legal Description	Property Address	Area Connection Fee	No. of Taps	Total Per Property Cost	City Utilities Cost Share	Income Based Assistance Percent (%)	Income Based Assistance	Total City Utilities Contribution	Property Cost with Contribution Applied to Assessment
15	Joe J. & Marcella A. Stephenson	Lot 39 & S 10 Ft Lot 40 Hazelhurst Ext Add & Space On West 200 Frl By 562.9 Ft Frl	3926 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
16	Lyle A. York	Lot 38 Hazelhurst Ext Add	4016 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
17	William J. Rhinehart	Lot 37 & 1/2 Vac St Hazelhurst Ext Add & Sp W 125 Frl By 521.9 Ft Frl	4018 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
18	Janelle Martin	Lot 36 & 1/2 Vac St Hazelhurst Ext Add & Spc 125 Frl By 546.6 Ft Frl Ex S 30 Ft	4106 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
19	David Seel Jr.	Lot 35 Hazelhurst Ext Add & Sp 30 By 546.6 Ft W of Lot 36 Sp 100 By 625.1 Ft W of Lot 35	4116 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
20	Tim & Cassie M. Chapman	Lot 34 Hazelhurst Ext Add & Space W 100 By 703.7 Ft	4126 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
21	James M. & Leah M. Otto	Lot 16 & 1/2 Vac St Hazelhurst Add	4127 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
22	David E. & Charlene K. Hess	Lots 17 & 18 & 1/2 Vac St Hazelhurst Add	4133 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
23	Larry D. & Julie A. Pessefall	Lot 33 Hazelhurst Ext Add & Sp W 100 By 782.7 Ft	4138 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
24	Paul D. & Patricia M. Simerman	Lot 32 Hazelhurst Ext Add & E .23a Sp on W	4206 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
25	Jessica L. Cote	Lot 31 Hazelhurst Ext Add	4212 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
26	John C. Silverman	Hazelhurst Ext Add Lots 29 & 30	4222 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
27	Rickey A. Castle	Lot 19 & 1/2 Vac St Hazelhurst Add	4231 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
28	John M. Garrett	Lot 20 & 1/2 Vac St Hazelhurst Add	4235 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00

EXHIBIT A Initial Cost Allocation Spreadsheet

5/29/2012

Sanitary Sewer Petition Project: Hazelhurst Drive / Laura Lane Area **Septic Elimination Project - W.O# 75454 / Resolution # 2297-2010**

							City Utilites Contribution				
	Property Owner	Legal Description	Property Address	Area Connection Fee	No. of Taps	Total Per Property Cost	City Utilities Cost Share	Income Based Assistance Percent (%)	Income Based Assistance	Total City Utilities Contribution	Property Cost with Contribution Applied to Assessment
29	David W. & Betty A. Cox	Hazelhurst Add Ex E 50ft Lot 22 & Ex E 50ft Lot 21	4303 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
30	Daniel E. & Suzanne J. Doak	Lot 23 & 1/2 Vac St Hazelhurst Add	4329 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
31	James L. Meyer	Lot 26 Hazelhurst Ext Add	4330 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
32	Kurt D. Henry c/o Steve Houser	Lot 25 Hazelhurst Ext Add	4340 Hazelhurst Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
33	D. Ray Garrett & Lauren B. Eckler	Lots 57 to 62 & SW 125 Ft Lot 63 Lot 65 Ex N 90 of E 125 & Ex SE Frl & W 15 of S 60 Lot 66 Highland Gdn	6611 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
34	Roger R. & Jane A. Franklin	Lot 1 Hazelhurst 2nd Ext Add	6732 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
35	Larrey A. (Dec.) & Virginia M. Wolever c/o Jeffrey Wolever 4903 Nevada Avenue Fort Wayne, In 46815	Lot 27 Hazelhurst Ext Add Lot 28	6801 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
36	Robert H. & Laverne E. Spuhler	Hazelhurst Ext 2nd Lot 2	6808 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
37	Greg Stebbins	Lot 13 Hazelhurst 2nd Ext Add Lot 14	6813 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
38	Scott Stebbins	Lot 3 Hazelhurst 2nd Ext Add	6816 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
39	Richard B. II & Angela M. Penrose	Lot 11 Hazelhurst 2nd Ext Add	6825 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
40	Cathy T. Serrano	Lot 10 Hazelhurst 2nd Ext Add	6911 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
41	Sylvester A. Jr. & Kathleen A. Engelmann	Lot 9 Hazelhurst 2nd Ext Add	6921 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00

EXHIBIT A Initial Cost Allocation Spreadsheet

5/29/2012

Sanitary Sewer Petition Project: Hazelhurst Drive / Laura Lane Area **Septic Elimination Project - W.O# 75454 / Resolution # 2297-2010**

	Property Owner	Legal Description	Property Address	Area Connection Fee	No. of Taps	Total Per Property Cost	City Utilites Contribution				Property Cost with Contribution Applied to Assessment
							City Utilities Cost Share	Income Based Assistance Percent (%)	Income Based Assistance	Total City Utilities Contribution	
42	Gail T. Teixeira	Lot 7 Hazelhurst 2nd Ext Add	6926 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
43	Luis Deveyra & Wendy Rowlee	Lots 4, 5, 6 & 8 Hazelhurst 2nd Ext Add Incl Val For-476-011	7010 Laura Lane	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
44	Paul L. & Anna L. Lynch	E 149.7 N of So Bend Dr SE 1/4 Sec 13	6614 South Bend Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
45	Kenneth A. & Dolores Wesling	1.74 A Betw Flaugh Dit & So Bend Dr W of E 151 SE 1/4 Sec 13	6628 South Bend Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
46	Leon E. & Joyce L. Freimuth	1.56 A Betw Flaugh Dt & So Bend Dr W of Frl E 312.9 SE 1/4 Sec 13	6702 South Bend Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
47	Thomas E. & Barbara E. Fischer	Spc Betw So Bend Dr & Dit 469.1 Ft SW of E Sec Line SE 1/4 Sec 13	6710 South Bend Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
48	Wesley A. Bandor	Lot 47 Hazelhurst Ext Add Ex E 8 Ft	6715 South Bend Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
49	Khara Shae Ringen	Spc Betw So Bend Dr & Dit 550.4 Ft SW of E Sec Line SE 1/4 Sec 13	6716 South Bend Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
50	P. Richard & Dorothy Fowerbaugh	Space 417.7 Frl By 633.8 Ft Frl W of Lots 44-45-47 Hazelhurst Ext Addition	6733 South Bend Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
51	Robert J. & Cheryl L. Stout	1.143 Mid Pt E 1/2 SE 1/4 N of Rd Sec 13	6806 South Bend Drive	waived	1	$12,648.00	$3,200.00	0%	$0.00	$3,200.00	$9,448.00
Parcels A - H are Non-Benefitted Properties Within the Overall Project Area											
A	GS & VS LLC 1416 Shingle Oak Pointe Fort Wayne, In 46814	E 1/2 NE 1/4 E Of Diag Line S of N Line Vac Int Row & E 77 of S 143.7 Ft W of Diag Line Ex Pt to Co & Ex Pt S	4429 Hazelhurst Drive	n/a	0	$0.00	$0.00	0%	$0.00	$0.00	$0.00
B	Michael C. Patterson	Lot 4 & 1/2 Vac St Hazelhurst Add	3717 Hazelhurst Drive	n/a	0	$0.00	$0.00	0%	$0.00	$0.00	$0.00
C	Steven E. & Gayle L. Bellam	Lot 11 & 1/2 Vac St Hazelhurst Add	4011 Hazelhurst Drive	n/a	0	$0.00	$0.00	0%	$0.00	$0.00	$0.00

EXHIBIT A Initial Cost Allocation Spreadsheet

5/29/2012

Sanitary Sewer Petition Project: Hazelhurst Drive / Laura Lane Area **Septic Elimination Project - W.O# 75454 / Resolution # 2297-2010**

	Property Owner	Legal Description	Property Address	Area Connection Fee	No. of Taps	Total Per Property Cost	City Utilites Contribution				
							City Utilities Cost Share	Income Based Assistance Percent (%)	Income Based Assistance	Total City Utilities Contribution	Property Cost with Contribution Applied to Assessment
D	Greg Stebbins	Hazelhurst Add Lot 12 & 1/2 Vac St	4015 Hazelhurst Drive	n/a	0	$0.00	$0.00	0%	$0.00	$0.00	$0.00
E	Eric R. Gebhard	Lot 13 & 1/2 Vac St Hazelhurst Ad	4019 Hazelhurst Drive	n/a	0	$0.00	$0.00	0%	$0.00	$0.00	$0.00
F	Wayne & Jamie Fismer 4114 Hazelhurst Drive Fort Wayne, In 46804	Lot 14 & 1/2 Vac St Hazelhurst Add	4115 Hazelhurst Drive	n/a	0	$0.00	$0.00	0%	$0.00	$0.00	$0.00
G	Michelle L. & Robert J. Wendell	Lot 15 & 1/2 Vac St Hazelhurst Add	4125 Hazelhurst Drive	n/a	0	$0.00	$0.00	0%	$0.00	$0.00	$0.00
H	Little River Wetlands Project, Inc. 2403 Fairoak Drive Fort Wayne, In 46809	W 20.44 A N of Engle NW 1/4 Sec 19 Incl Isc R/W	6100 Engle Rd Ext (blk of)	n/a	0	$0.00	$0.00	0%	$0.00	$0.00	$0.00
			sub-totals		51	$645,048.00	$163,200.00		$0.00	**$163,200.00**	**$481,848.00**

2012 CIPP PKG#2 – SMALL DIAMETER
WO#75712

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the following:

> Rehabilitation of approximately 48664 LF of small diameter (8-inch to 15-inch) sanitary and combined sewer by means of a cured-in-place pipe method.

Said improvements, with all their appurtenances, shall be constructed in accordance with the drawings and specifications titled, **2012 CIPP Pkg. #2 – Small Diameter**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Utilities 2012 SRF Sewer Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States that no additional costs will be associated with the purchase of any land associate with this project.

Declares the estimate of the project's total cost of **$2,150,215.00**

APPROVED THIS 6th **DAY OF** June, **2012.**

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
Kumar Menon, Member

BY: Mike Avila
Mike Avila, Member

ATTEST: Victoria Edwards
Victoria G. Edwards, Clerk

2012 CIPP PKG#1 - MEDIUM DIAMETER
WO#75714

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the following:

> Rehabilitation of approximately 12,117 LF of medium diameter (18-inch to 30-inch) sanitary and combined sewer by means of a cured-in-place pipe method.

Said improvements, with all their appurtenances, shall be constructed in accordance with the drawings and specifications titled, **2012 CIPP Pkg#1 - Medium Diameter**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Utilities 2012 SRF Sewer Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States that no additional costs will be associated with the purchase of any land associate with this project.

Declares the estimate of the project's total cost of **$1,246,057.00**

APPROVED THIS 6th **DAY OF** June **, 2012.**

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
Kumar Menon, Member

BY: Mike Avila
Mike Avila, Member

ATTEST: Victoria Edwards
Victoria G. Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: May 31, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$461,882.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the WPCP Digester #5 Upgrade Design project, WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the Digester Electrical Building project and the WPCP Digester Gas Safety Improvement project Ph 3.

Draw #379	URS Corp.	$ 6,098.00
Draw #380 & #381	GAI Consultants	52,480.00
Draw #382	AC Motor Technologies Inc.	4,768.00
Draw #383 & #384	Donohue & Assoc.	20,295.00
Draw #385	Hagerman Inc. & Star Financial Bank	330,471.00
Draw #386	Greeley and Hansen	47,770.00
	Total Payments	**$461,882.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila

Mike Avila, Member

Date: June 6, 2012

QUITCLAIM OF POTABLE WATER MAIN AND EASEMENTS

North of Dupont Road between Diebold Road and Tonkel Road, Allen County, Indiana

Board of Public Works Resolution 99-6-13-12-1

Cross Reference to Documents 730001568, 900044118, 930026965, 2007052099, 2007052103, 2007052104, 2010045455, 2011014251 and 2012022473

THIS QUITCLAIM OF POTABLE WATER MAIN AND EASEMENTS ("Quitclaim") is executed this 13th day of June, 2012, by the City of Fort Wayne Board of Public Works ("City"), to wit:

RECITALS

A. Hugh W. Johnston; Hugh W. Johnston, Sr.; K & H Realty Corporation; and Long Term Care Investments III, LLC, are the owners ("Owners") of certain real estate located on the north side of State Road 1 (Dupont Rd.), between Diebold Rd. and Tonkel Rd., in the southeast and southwest quadrants of Perry Township Section 36, said real estate having been recorded in the office of the Recorder of Allen County, Indiana, at Documents 730001568, 900044118, 930026965, 2010045455 and 2012022473 ("Real Estate").

B. City owns a 12 in. diameter potable water main and related structures located on the Real Estate ("Water Main"), which Water Main is within easements twenty (20) feet in width that City obtained from Owners, said easements having been recorded in the office of the Recorder of Allen County, Indiana, at Documents 2007052099, 2007052103, 2007052104 and 2011014251 ("Easements").

C. Owners and City have agreed to abandon a certain part of the Water Main and related Easements for the purpose of developing the Real Estate.

QUITCLAIM

1. City hereby vacates and quitclaims unto Owners all right, title and interest in and to the following described part of the City's public potable water system: a 12 in. potable water pipe and related structures, beginning where the 12 in. water main was cut and capped, approximately twenty (20) ft. north of the north right-of-way line of State Road 1, said point being approximately 1325 ft. east of the centerline of Diebold Rd., then northerly and easterly to a water valve approximately seventeen (17) ft. west of the west right-of-way line of Oak Crossing Dr., all as shown on the attached Exhibit A. The water mains and valves outside of the two endpoints, including the valve west of the west right-of-way line of Oak Crossing Rd., are not vacated hereby and shall remain in the City's public potable water system.

2. City hereby vacates and quitclaims unto Owners all right, title and interest in and to the following Easements or parts thereof, said Easements having been recorded in the office of the Recorder of Allen County, Indiana, at the Documents indicated:
   A. Easements 2007052099 and 2007052104 in their entirety;
   B. All that part of Easement 2007052103 north and east of a point that is thirty (30) ft. north of the north right-of-way line of State Road 1, as shown on the attached Exhibit B; and
   C. All that part of Easement 2011014251 west of a point that is twenty (20) ft. west of the west right-of-way line of Oak Crossing Dr., as shown on the attached Exhibit C.

City retains all other rights conveyed to it pursuant to the Easements which are not specifically released herein, and all other terms and conditions of said Easements which are not amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Fort Wayne Board of Public Works has executed this Quitclaim as of the date set forth above.

By: _____
Robert P. Kennedy, Chair

By: _____
Kumar Menon, Member

By: Mike Avila
Mike Avila, Member

ATTEST: Victoria Edwards
Victoria G. Edwards, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

BEFORE ME, a Notary Public in and for said State and County, personally appeared the within named City of Fort Wayne Board of Public Works, "City" herein, by Robert P. Kennedy, Kumar Menon and Mike Avila as Members of the Board of Public Works, and Victoria G. Edwards, Clerk of the Board, and acknowledged the execution of the foregoing Quitclaim as their voluntary act and deed.

WITNESS my hand and seal this 13th day of June, 2012

My Commission Ex

Resident of _____

MARJORIE ENDERS
Allen County
My Commission Expires
April 13, 2016

Signature of Notary Public

Printed Name

MARJORIE ENDERS NOTARY PUBLIC SEAL COMMISSION EXPIRES APRIL 13, 2016 NOTARY SEAL ALLEN COUNTY NOTARY PUBLIC, STATE OF INDIANA

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Craig Berndt, City Utilities, Development Services.

This instrument prepared by Craig Berndt, City Utilities, Development Services.

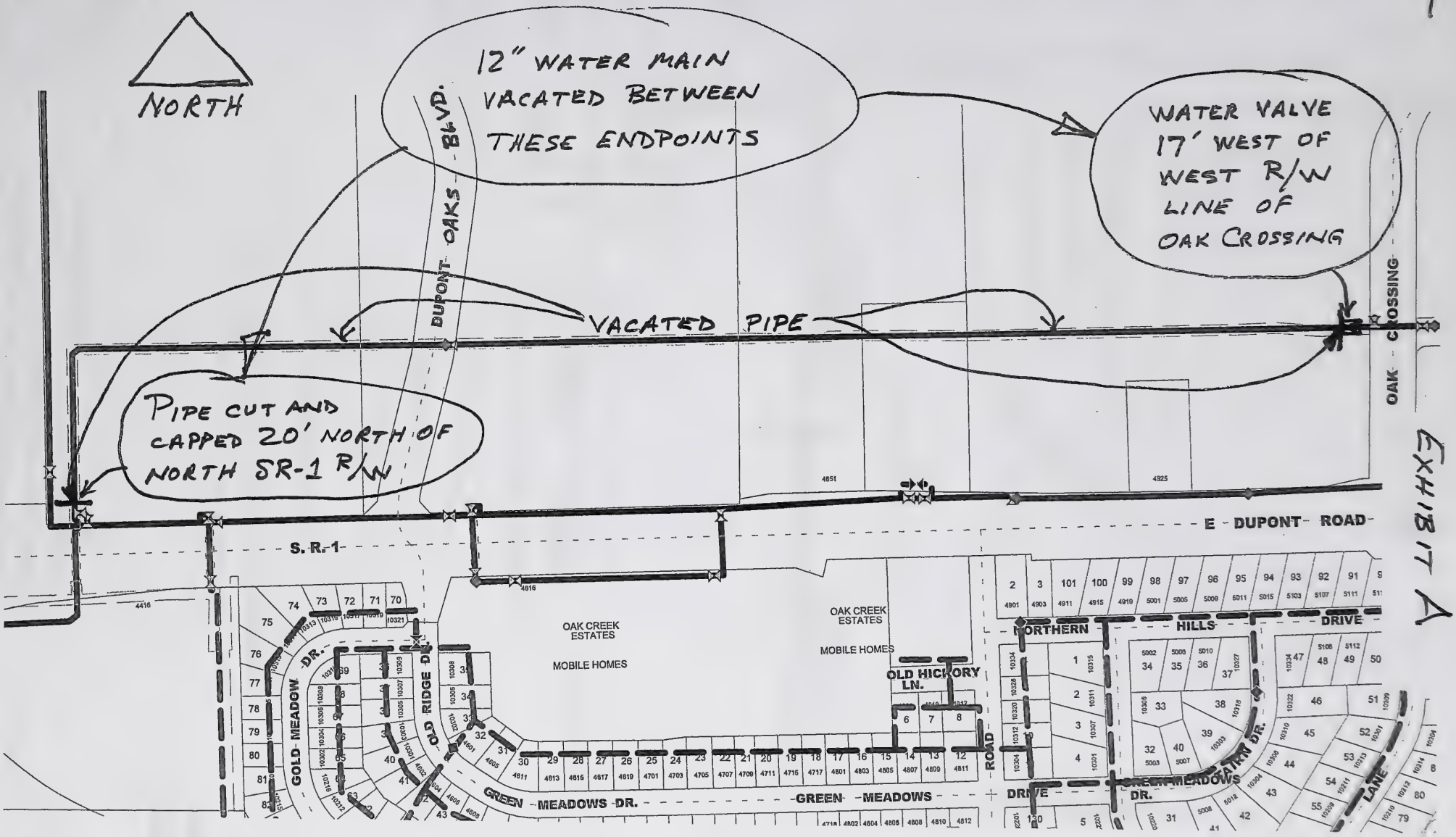
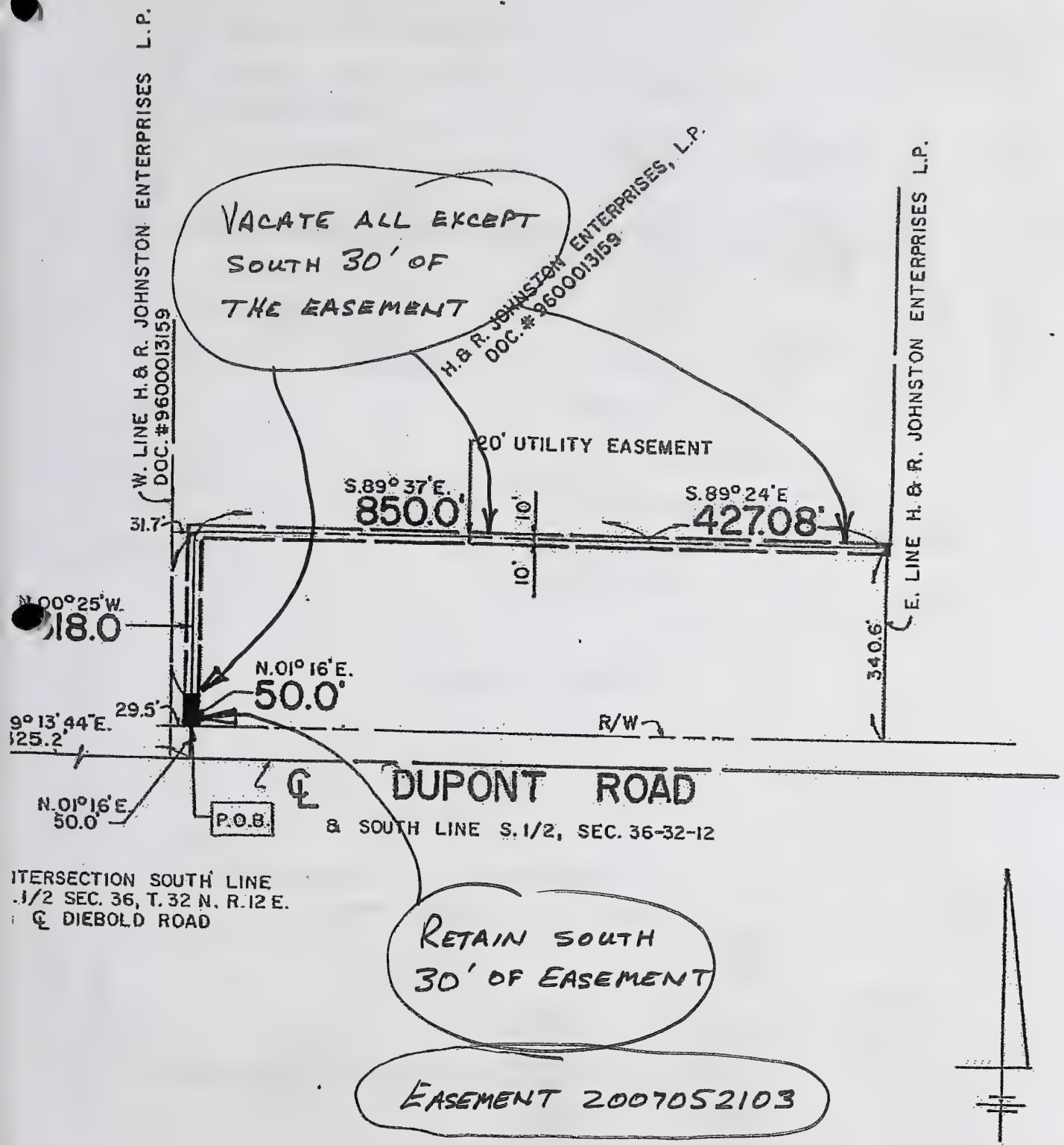

NORTH
12" WATER MAIN VACATED BETWEEN THESE ENDPOINTS
WATER VALVE 17' WEST OF WEST R/W LINE OF OAK CROSSING
DUPONT OAKS BLVD.
VACATED PIPE
PIPE CUT AND CAPPED 20' NORTH OF NORTH SR-1 R/W
OAK CROSSING
E DUPONT ROAD
S.R. 1
OAK CREEK ESTATES
MOBILE HOMES
OLD HICKORY LN.
ROAD
NORTHERN HILLS DRIVE
GOLD MEADOW DR.
OLD RIDGE DR.
GREEN MEADOWS DR.
GREEN MEADOWS DRIVE
FAIRN DR.
LANE

EXHIBIT A

EXHIBIT B

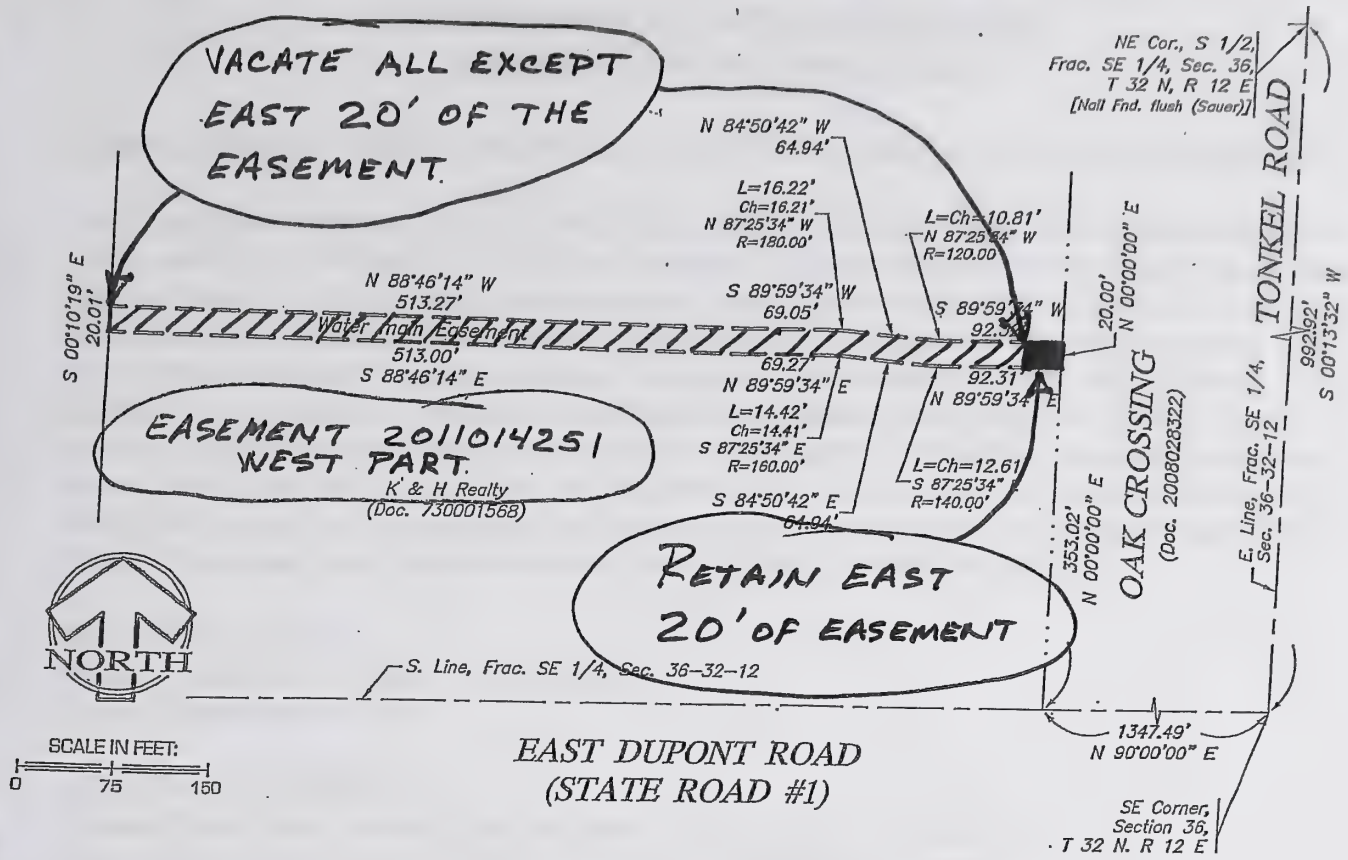


ROBERTS
REGISTERED
No. 0548
STATE OF INDIANA

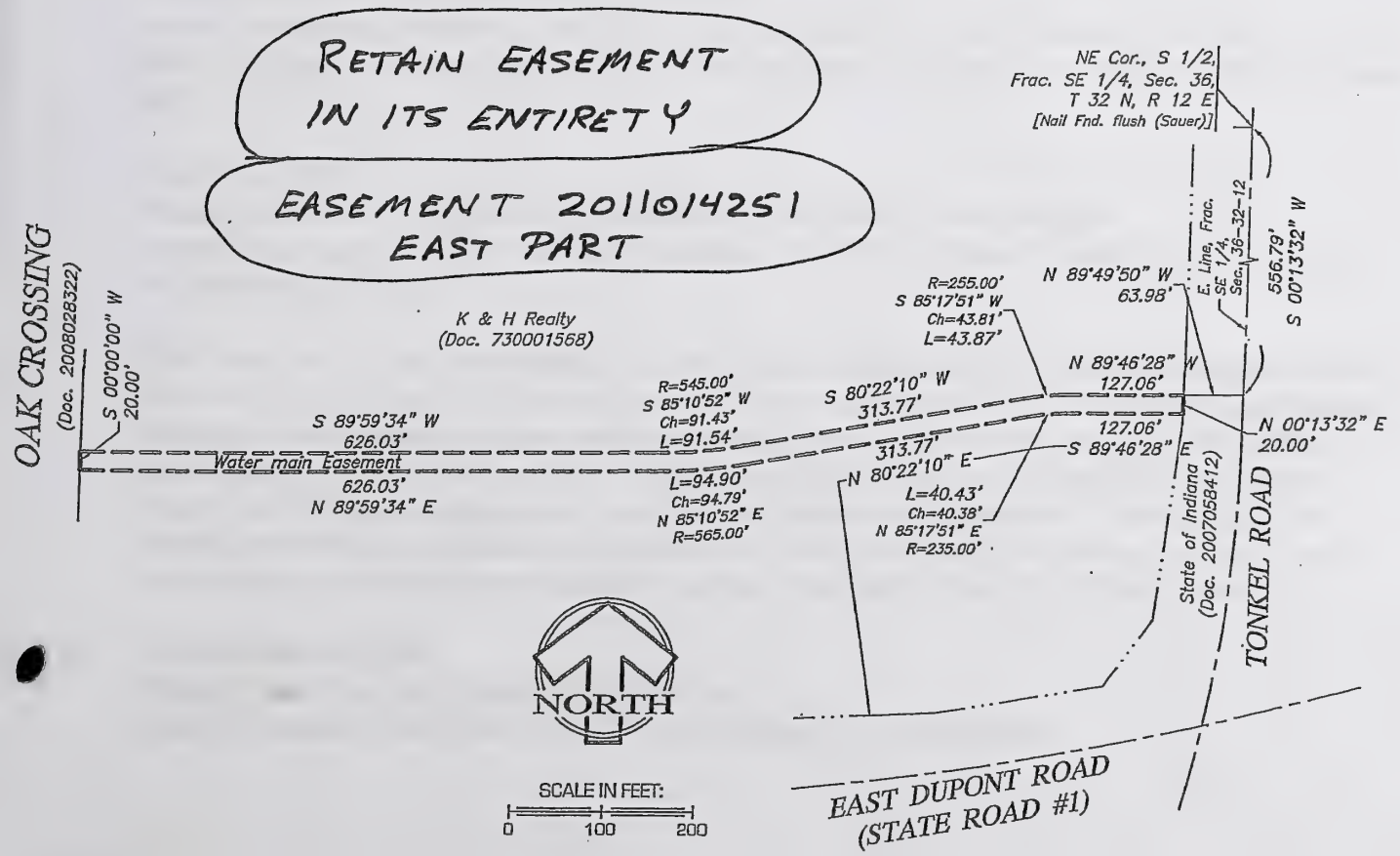
I hereby certify that this plat was made under my direct supervision and is correct to the best of my knowledge and belief.
This easement d...

EXHIBIT C
EASEMENT 2011014251

WEST PART


VACATE ALL EXCEPT EAST 20' OF THE EASEMENT.
NE Cor., S 1/2, Frac. SE 1/4, Sec. 36, T 32 N, R 12 E [Nail Fnd. flush (Sauer)]
N 84°50'42" W 64.94'
L=16.22' Ch=16.21' N 87°25'34" W R=180.00'
L=Ch=10.81' N 87°25'34" W R=120.00'
N 00°00'00" E 20.00'
TONKEL ROAD
S 00°10'19" E 20.01'
N 88°46'14" W 513.27'
Water main Easement 513.00'
S 88°46'14" E
S 89°59'34" W 69.05'
S 89°59'34" W 92.31'
69.27' N 89°59'34" E
92.31' N 89°59'34" E
L=14.42' Ch=14.41' S 87°25'34" E R=160.00'
L=Ch=12.61' S 87°25'34" E R=140.00'
S 84°50'42" E 64.94'
EASEMENT 2011014251 WEST PART.
K & H Realty (Doc. 730001568)
RETAIN EAST 20' OF EASEMENT
353.02' N 00°00'00" E
OAK CROSSING (Doc. 2008028322)
E. Line, Frac. SE 1/4, Sec. 36-32-12
992.92' S 00°13'32" W
NORTH
S. Line, Frac. SE 1/4, Sec. 36-32-12
SCALE IN FEET: 0 75 150
EAST DUPONT ROAD (STATE ROAD #1)
1347.49' N 90°00'00" E
SE Corner, Section 36, T 32 N. R 12 E

EAST PART



CONVEYANCE OF REMAINING CITY LIGHT REAL ESTATE AND RIGHT OF WAY AND EASEMENTS
RESOLUTION NO. 99-6-13-12-2

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The City of Fort Wayne CONVEYS AND SPECIALLY WARRANTS to Indiana Michigan Power for the sum of Ten Dollars ($10.00) for each property and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, certain real estate located in Allen County, Indiana as more specifically described on Exhibit A of the attached document and hereto and incorporated herein and commonly referred to as real estate located in Allen County, Indiana, subject to (i) all easement, covenants, conditions, encumbrances, liens and restrictions of record; (ii) non-delinquent real estate taxes due and payable in November, 2010, and all subsequent real estate taxes; (iii) all applicable zoning, land use and other rules, regulations and ordinances; (iv) any set of facts which would be disclosed by an accurate survey or inspection; and (v) the matters set forth on Exhibit B attached hereto and incorporated herein for the following real estate:

HOBSON STATION
Primary Parcel No.: 02-08-31-427-006.000-72
Source Document: 70-7799

UPRIVER DAM STATION
Primary Parcel Nos.: 02-08-30-100-001.000-072, 02-08-30-100-006.000-072
Source Documents: DR 296, p. 87-88; DR 338, p. 66 and DR 265, p. 409

THREE RIVERS STATION
Primary Parcel No.: 02-12-01-151-001.000-074
Source Documents: DR 328, p. 380; DR 331, p. 220, DR 331, p. 220; DR 330, p. 44; DR 330 p. 44; DR 328 p. 380; DR 328 p. 391; DR 329, p. 396; DR 329, p. 284, DR 329 p. 284; DR 329 p. 284 and DR 329, p. 116

LAKE STATION
Primary Parcel Nos.: 02-13-06-176-001.000-074, 02-13-06-127-004.000-074
Source Documents: 70-8037, 70-8038, 70-13884, 71-19980, 203004927, 20605372, 70-11205, 7013659 and 70-13883

The City of Fort Wayne grants RIGHT OF WAY AND EASEMENT to Indiana Michigan Power in the sum of One Dollar ($1.00) for each and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the covenants hereinafter set forth, the City of Fort Wayne hereby grants, conveys and warrants to Indiana Michigan Power it successors, assigned, lessees, tenants and licensees, a permanent right of way and easement, herein called "Easement," for an electric substation site, together with transmission, distribution, and communication lines in, on, over, under, through and across the following described lands of the City of Fort Wayne:

DWENGER STATION
Primary Parcel No.: 02-13-06-401-002.000-074
Source Documents: Misc. Rec. 128-478-484 and Misc. Rec. 128-485-489

TRANSMISSION EASEMENTS

Lawton Tap
Primary Parcel Nos.: 02-07-35-404-001.000-074 and 02-07-35-476-001.000-074
Primary Source Document: DR 66, p. 570

Anthony – Lakeside Switch
Primary Parcel Nos.: 02-12-06-176-001.000-074 and 02-13-06-126-001.000-074
Primary Source Document: Instrument No.: 70-8037

Appleseed Loop
Primary Parcel No.: 02-08-30-100-001.000-072
Primary Source Document: DR 296, p. 87

Lakeside Switch – Lincoln
Primary Parcel No.: 02-13-06-176-001.000-074
Primary Source Document: Instrument No.: 77-034229

Lakeside Switch – Three Rivers
Primary Parcel No.: 02-13-06-126-001.000-074
Primary Source Document: Instrument No.: 708-1938

Lawton Park – Lawton Switch
Primary Parcel Nos.: 02-07-35-476-001.000-074 and 02-07-35-476-002.000-074
Primary Source Document: DR 66, p. 570

Vesey/Industrial Park Transmission
Primary Parcel No.: 02-07-26-455-001.000-074
Primary Source Document: DR 222, p. 476

DISTRIBUTIOIN EASEMENTS

Three Rivers – Lawton
Primary Parcel Nos.: 02-07-35-476-002.000-074 and 02-12-02-226-001.000-074
Primary Source Document: DR 66, p. 570

IN120514 – Anthony – Wabash
Primary Parcel No.: 02-13-06-401-002.000-074
Primary Source Document: Instrument No.: Dec. Res. 713-1939

IN120515 – Parnell – University
Primary Parcel Nos.: 02-08-30-100-001.000-072, 02-08-30-100-006.000-072 and 02-07-25-200-014.000-074
Primary Source Document: DR 296, p. 87

IN120516 - Parnell – University
Primary Parcel Nos.: 02-08-30-100-001.000-072, 02-08-30-100-006.000-072 and 02-07-25-200-014.000-074
Primary Source Document: DR 296, p. 87

IN120517 & IN120518 – Fulton – Bloomingdale
Primary Parcel Nos.: 02-12-02-153-003.000-074 and 02-12-02-153-002.000-074
Primary Source Document: DR 149, p. 120-122

IN120519 – Fulton – Bloomingdale
Primary Parcel Nos.: 02-12-02-153-003.000-074 and 02-12-03-433-001.000-074
Primary Source Document: DR 149, p. 122 and 125

IN120520 – Fulton – Bloomingdale
Primary Parcel Nos.: 02-12-02-153-003.000-074 and 02-12-02-302-001.000-074
Primary Source Document: DR 149, p. 122

IN120521 – Fulton – Bloomingdale
Primary Parcel No.: 02-12-03-436-013.000-074
Primary Source Document: DR 260, p. 286

IN120522 – Fulton – Bloomingdale
Primary Parcel Nos.: 02-12-03-460-013.000-074 and 02-12-10-126-001.000-074
Primary Source Document: DR 219, p. 104

IN120523 – Fulton – Bloomingdale
Primary Parcel No.: 02-12-10-126-001.000-074
Primary Source Document: DR 219, p. 104

IN120524 – Fulton – Bloomingdale
Primary Parcel No.: 02-12-10-126-001.000-074
Primary Source Document: DR 219, p. 104

IN120525 – McKinley – Hale
Primary Parcel Nos.: 02-12-15-201-002.000-074 and 02-12-15-201-009.000-074
Primary Source Document: Instrument No.: 89-36331

IN120526 – McKinley – Engle
Primary Parcel No.: 02-12-22-126-001.000-074
Primary Source Document: DR 220, p. 410

IN120528 – Webster – Harmar
Primary Parcel No.: 02-12-12-151-001.000-074
Primary Source Document: DR Y, p. 534

IN 120530 – Spy Run – Lawton California Ave. Anchor
Primary Parcel No.: 02-07-36-483-001.000-074
Primary Source Documents: DR 198, p. 91 & 93, DR 217, p. 83 and DR 219, p. 333

IN120531 – Spy Run Lawton Vermont Ave. Anchor
Primary Parcel No.: 02-07-36-483-001.000-074
Primary Source Documents: DR 198, p. 91 & 93, DR 217, p. 83 and DR 219, p. 333

APPROVED THIS 13th DAY OF June, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria Edwards, Clerk

IMPROVEMENT RESOLUTION NO. 3779N

EDGEWATER AVENUE LEVEE REPAIR
WORK ORDER NO. 3779N

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: The Edgewater Avenue Levee from the Tecumseh Street Bridge to approximately 1200 lineal feet east, requiring the cutting of existing tree stumps to ground level and placing compacted clay foundation, rip rap and/or Scour Stop with topsoil and seeding.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 13th day of June, 2012.

BOARD OF PUBLIC WORKS

Bob Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria G. Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.:
W.O. NO.: 3779N

proj: Edgewater Avenue Levee Repair

Bid Estimate: $619,725.00
estimated e&i:
Total estimate: $619,725.00

Date: 7/11/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization/Demobilization	1	LS	$15,000.00	$15,000.00
2	Maintenance of Traffic	1	LS	$5,000.00	$5,000.00
3	Temporary Ramps (if needed)	1	LS	$5,000.00	$5,000.00
4	Clearing	1	LS	$10,000.00	$10,000.00
5	Concrete Removal (undistributed)	1100	SY	$10.00	$11,000.00
6	Common Excavation	400	CY	$15.00	$6,000.00
7	Compacted Clay	5700	CY	$20.00	$114,000.00
8	Rip Rap, Revetment	1500	TON	$35.00	$52,500.00
9	Concrete Trail Replacement (undistributed)	1100	SY	$30.00	$33,000.00
10	Concrete Curb (undistributed)	185	LF	$15.00	$2,775.00
11	Reset Handrail (undistributed)	250	LF	$10.00	$2,500.00
12	Topsoil	2000	TON	$30.00	$60,000.00
13	Mulched Seeding (top of levee +/- 12')	1575	SY	$2.00	$3,150.00
14	Hydro-Seeding (riverside slope)	4000	SY	$2.00	$8,000.00
15	SC 250 ES Matting	4000	SY	$3.50	$14,000.00
16	Scour Stop	2900	SY	$82.00	$237,800.00
17	Restoration (street side of levee)	1	LS	$15,000.00	$15,000.00
18	Work Allowance	1	LS	$25,000.00	$25,000.00

BID

CONTRACTOR:

proj: Edgewater Avenue Levee Repair

RES. NO.:
W.O. NO.: 3779N

TOTAL BID AMT: _____

required completion date: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____

Contractors Signature

Bid Date: 7/11/2012

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization/Demobilization	1	LS		
2	Maintenance of Traffic	1	LS		
3	Temporary Ramps (if needed)	1	LS		
4	Clearing	1	LS		
5	Concrete Removal (undistributed)	1100	SY		
6	Common Excavation	400	CY		
7	Compacted Clay	5700	CY		
8	Rip Rap, Revetment	1500	TON		
9	Concrete Trail Replacement (undistributed)	1100	SY		
10	Concrete Curb (undistributed)	185	LF		
11	Reset Handrail (undistributed)	250	LF		
12	Topsoil	2000	TON		
13	Mulched Seeding (top of levee +/- 12')	1575	SY		
14	Hydro-Seeding (riverside slope)	4000	SY		
15	SC 250 ES Matting	4000	SY		
16	Scour Stop	2900	SY		
17	Restoration (street side of levee)	1	LS		
18	Work Allowance	1	LS		

IMPROVEMENT RESOLUTION NO. 12295

WILLOW GROVE DRIVE CONCRETE STREET REPAIRS
WORK ORDER NO. 12295

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: WILLOW GROVE DRIVE FROM #8915 to #8817, BY RECONSTRUCTION OF THE CONCRETE ROADWAY, I.E. CONCRETE PAVEMENT REPLACEMENT; WHICH INCLUDES INTREGAL CURBS, UNDER-DRAIN, TOPSOIL AND HYDRO-SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 13th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

proj: **WILLOW GROVE DRIVE CONCRETE STREET REPAIRS**

RES. NO.: 12295
W.O. NO.: 12295

Bid Estimate: $48,091.00
estimated e&I: $2,211.00
Total estimate: $50,302.00

Date: **6/4/2012**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement	1055	SY	$6.00	$6,330.00
2	Cement Concrete Pavement, Plain 7" Class A (Incl. Type 1-A Curb)	1055	SY	$25.00	$26,375.00
3	Type "O" Compacted Aggregate for Base #53	250	TN	$14.00	$3,500.00
4	Underdrain 6" Perforated Plastic, Group K Pipe (Incl. #8 Stone)	400	LF	$7.00	$2,800.00
5	Casting Adjust to Grade	5	EA	$250.00	$1,250.00
6	Topsoil	16	TN	$15.00	$240.00
7	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	215	SY	$2.00	$430.00
8	Backfill Behind Curb	33	TN	$5.00	$165.00
9	1" Expansion Joint	27	LF	$8.00	$216.00
10	Sediguard Inlet Protection Device or Approved Equivilent for Sediment Control	5	EA	$50.00	$250.00
11	Construction Sign, Type "A"	1	EA	$50.00	$50.00
12	Construction Sign, Type "A" with Warning Light Type "A"	3	EA	$75.00	$225.00
13	Standard Barricade, Type III-B	4	EA	$90.00	$360.00
14	Standard Barricade, Type III-B with Sign and Warning Light	3	EA	$100.00	$300.00
15	Work Allowance	1	LS	$2,000.00	$2,000.00
16	Maintenance of Traffic	1	LS	$1,600.00	$1,600.00
17	Mobilization / Demobilization	1	LS	$2,000.00	$2,000.00

BID

CONTRACTOR:

proj: WILLOW GROVE DRIVE CONCRETE STREET REPAIRS

RES. NO.: 12295
W.O. NO.: 12295

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 9/7/2012

Bid Date: 7/11/2012

Contractors Signature _____

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement	1055	SY		
2	Cement Concrete Pavement, Plain 7" Class A (Incl. Type 1-A Curb)	1055	SY		
3	Type "O" Compacted Aggregate for Base #53	250	TN		
4	Underdrain 6" Perforated Plastic, Group K Pipe (Incl. #8 Stone)	400	LF		
5	Casting Adjust to Grade	5	EA		
6	Topsoil	16	TN		
7	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	215	SY		
8	Backfill Behind Curb	33	TN		
9	1" Expansion Joint	27	LF		
10	Sediguard Inlet Protection Device or Approved Equivilent for Sediment Control	5	EA		
11	Construction Sign, Type "A"	1	EA		
12	Construction Sign, Type "A" with Warning Light Type "A"	3	EA		
13	Standard Barricade, Type III-B	4	EA		
14	Standard Barricade, Type III-B with Sign and Warning Light	3	EA		
15	Work Allowance	1	LS	$2,000.00	
16	Maintenance of Traffic	1	LS		
17	Mobilization / Demobilization	1	LS		

IMPROVEMENT RESOLUTION NO. 12297

CARIBOU DRIVE
BETWEEN REINDEER AND BUCK
WORK ORDER NO. 12297

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Caribou Drive from Reindeer Road to Buck Court by intermittent reconstruction of the existing concrete street including integral curbs and restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 13th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: CARIBOU DRIVE (BUCK TO REINDEER)

RES. NO.: 12297
W.O. NO.: 12297

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: August 31, 2012

Bid Date: July 11, 2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE PAVEMENT (INCLUDES CURB)	1975	SY		
2	CEMENT CONCRETE PAVEMENT PLAIN 7", CLASS A (INCLUDES TYPE I-A CURB)	1975	SY		
3	TYPE "O" COMPACTED AGGREGATE FOR BASE #53 CRUSHED LIMESTONE	199	TON		
4	BACKFILL BEHIND CURBS	45	TON		
5	TOPSOIL	21	TON		
6	HYDROSEEDING WITH HYDROSTICK OR EQUIVALENT FOR SEDIMENT CONTROL	205	SY		
7	1" EXPANSION JOINT WITH THICKENED CONCRETE EDGE	27	LF		
8	ADJUST CASTING TO GRADE	1	EA		
9	CONSTRUCTION SIGNS TYPE A, WITH LIGHT	2	EA		
10	STANDARD BARRICADE TYPE III, WITH LIGHT AND ROAD CLOSED SIGN	4	EA		
11	SEDI-GUARD EROSION CONTROL	2	EA		
12	MAINTENANCE OF TRAFFIC	1	LS		
13	MOBILIZATION AND DEMOBILIZATION	1	LS		
14	WORK ALLOWANCE	1	LS	$1,000.00	

ESTIMATE OF QUANTITIES

RES. NO.: 12297
W.O. NO.: 12297

proj: **CARIBOU DRIVE** (BUCK TO REINDEER)

Bid Estimate: $71,020.51
estimated e&i: $9,979.49
Total estimate: $81,000.00

Date: May 30, 2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE PAVEMENT (INCLUDES CURB)	1975	SY	$6.00	$11,850.00
2	CEMENT CONCRETE PAVEMENT PLAIN 7", CLASS A (INCLUDES TYPE I-A CURB)	1975	SY	$24.00	$47,400.00
3	TYPE "O" COMPACTED AGGREGATE FOR BASE #53 CRUSHED LIMESTONE	199	TON	$15.00	$2,985.00
4	BACKFILL BEHIND CURBS	45	TON	$2.00	$90.00
5	TOPSOIL	21	TON	$15.00	$315.00
6	HYDROSEEDING WITH HYDROSTICK OR EQUIVALENT FOR SEDIMENT CONTROL	205	SY	$2.00	$410.00
7	1" EXPANSION JOINT WITH THICKENED CONCRETE EDGE	27	LF	$7.00	$189.00
8	ADJUST CASTING TO GRADE	1	EA	$250.00	$250.00
9	CONSTRUCTION SIGNS TYPE A, WITH LIGHT	2	EA	$75.00	$150.00
10	STANDARD BARRICADE TYPE III, WITH LIGHT AND ROAD CLOSED SIGN	4	EA	$100.00	$400.00
11	SEDI-GUARD EROSION CONTROL	2	EA	$100.00	$200.00
12	MAINTENANCE OF TRAFFIC	1	LS	$2,569.56	$2,569.56
13	MOBILIZATION AND DEMOBILIZATION	1	LS	$3,211.95	$3,211.95
14	WORK ALLOWANCE	1	LS	$1,000.00	$1,000.00

IMPROVEMENT RESOLUTION NO. 12313

CRYSTAL SPRINGS DRIVE CONCRETE STREET REPAIRS
WORK ORDER NO. 12313

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: CRYSTAL SPRINGS DRIVE FROM LOCUST SPRING PL. TO WINTERFIELD RUN, BY RECONSTRUCTION OF THE CONCRETE ROADWAY, I.E. CONCRETE PAVEMENT REPLACEMENT; WHICH INCLUDES INTREGAL CURBS, UNDER-DRAIN, CONCRETE CORNER WALK AND RAMPS, TOPSOIL AND HYDRO-SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 13th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12313
W.O. NO.: 12313

proj: CRYSTAL SPRINGS DRIVE CONCRETE STREET REPAIRS

Bid Estimate: $102,193.00
estimated e&i: $12,807.00
Total estimate: $115,000.00

Date: 6/5/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement	2100	SY	$6.00	$12,600.00
2	Removal of Concrete	87	SY	$6.00	$522.00
3	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	2100	SY	$25.00	$52,500.00
4	Concrete Sidewalk (4")	53	SY	$25.00	$1,325.00
5	Concrete Wingwalk and Ramps (6")	34	SY	$40.00	$1,360.00
6	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	6	EA	$200.00	$1,200.00
7	1" Expansion Joint	27	LF	$8.00	$216.00
8	Type "O" Compacted Aggregate for Base No. 53	470	TN	$15.00	$7,050.00
9	Bedcourse Material	15	TN	$15.00	$225.00
10	Backfill Behind Curb	100	TN	$5.00	$500.00
11	Underdrain, 6" Perforated Plastic, Group K Pipe (incl. #8 stone)	1260	LF	$7.00	$8,820.00
12	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	600	SY	$2.00	$1,200.00
13	Top Soil	50	TN	$15.00	$750.00
14	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	6	EA	$50.00	$300.00
15	2' x 2' Curb & Gutter Casting, Furnish & Adjust to Grade	5	EA	$350.00	$1,750.00
16	Water Valves (Valve-Box) Adjusted to Grade	1	EA	$75.00	$75.00
17	Construction Sign, Type "A"	2	EA	$50.00	$100.00
18	Construction Sign, Type "A" with Warning Light Type "A"	2	EA	$75.00	$150.00
19	Standard Barricade, Type III-B	6	EA	$100.00	$600.00
20	Standard Barricade, Type III-B with Sign and Warning Light	2	EA	$125.00	$250.00
21	Work Allowance	1	LS	$2,500.00	$2,500.00
22	Maintenance of Traffic	1	LS	$3,600.00	$3,600.00
23	Mobilization / Demobilization	1	LS	$4,600.00	$4,600.00

BID

CONTRACTOR:

proj: CRYSTAL SPRINGS DRIVE CONCRETE STREET REPAIRS

RES. NO.: 12313
W.O. NO.: 12313

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 9/21/2012

Bid Date: 7/11/2012

Contractors Signature _____

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete Pavement	2100	SY		
2	Removal of Concrete	87	SY		
3	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	2100	SY		
4	Concrete Sidewalk (4")	53	SY		
5	Concrete Wingwalk and Ramps (6")	34	SY		
6	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	6	EA		
7	1" Expansion Joint	27	LF		
8	Type "O" Compacted Aggregate for Base No. 53	470	TN		
9	Bedcourse Material	15	TN		
10	Backfill Behind Curb	100	TN		
11	Underdrain, 6" Perforated Plastic, Group K Pipe (incl. #8 stone)	1260	LF		
12	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	600	SY		
13	Top Soil	50	TN		
14	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	6	EA		
15	2' x 2' Curb & Gutter Casting, Furnish & Adjust to Grade	5	EA		
16	Water Valves (Valve-Box) Adjusted to Grade	1	EA		
17	Construction Sign, Type "A"	2	EA		
18	Construction Sign, Type "A" with Warning Light Type "A"	2	EA		
19	Standard Barricade, Type III-B	6	EA		
20	Standard Barricade, Type III-B with Sign and Warning Light	2	EA		
21	Work Allowance	1	LS	$2,500.00	
22	Maintenance of Traffic	1	LS		
23	Mobilization / Demobilization	1	LS		

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: June 4, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$411,811.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw #57	American Structurepoint Inc.	$ 18,920.00
Draw #58	GAI Consultants	13,608.00
Draw #59	Fleis & Vandenbrink	17,448.00
Draw #60	Spectrum Engineering Corp.	22,779.00
Draw #61	Insituform Technologies & 5th Third Bank	176,919.00
Draw #62	Donohue & Assoc.	35,259.00
Draw #63	Xylem Water Solutions USA Inc.	90,000.00
Draw #64, #65 & # 66	CH2M Hill	36,878.00
	Total Payments	**$411,811.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

June 13, 2012
Date

IMPROVEMENT RESOLUTION NO. 12290

WEBSTER STREET CONCRETE STREET REPAIRS
WORK ORDER NO. 12290

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve Webster Street from Fairfax Avenue to Lenox Avenue by reconstructing the existing concrete pavement as needed and installing surface mount detectable warning mats on existing curb ramps.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 20th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12308
W.O. NO.: 12308

proj: Webster Street Concrete Street Repairs

Bid Estimate:	$41,155.00
estimated e&i:	$10,288.75
Total estimate:	$51,443.75

Date: 5/29/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Pavement	935	SY	$7.00	$6,545.00
2	Cement Concrete Pavement, Plain, 7" Class A - Includes Type "I-A" Curb	935	SY	$25.00	$23,375.00
3	Type "O" Compacted Aggregate for Base, No 53	110	TON	$15.00	$1,650.00
4	Backfill for Behind Curbs	45	TON	$10.00	$450.00
5	Topsoil	25	TON	$15.00	$375.00
6	Hydroseeding with Hydrostick or Equivalent Polymer for Erosion Control	135	SY	$2.00	$270.00
7	Sediguard Inlet Protection Device or Approved Equal	2	EA	$75.00	$150.00
8	ADA Solutions, Armor-Tile or Approved Equal Surface Mount 2' x 4' Composit Tactile Warning Surface Units	2	EA	$250.00	$500.00
9	Construction Sign Type A	6	EA	$80.00	$480.00
10	Standard Barricade Type III with Road Closed Local Traffic Only Sign	2	EA	$100.00	$200.00
11	Standard Barricade Type III	2	EA	$80.00	$160.00
12	Mobilization / Demobilization	1	LS	$2,500.00	$2,500.00
13	Maintance of Traffic	1	LS	$2,500.00	$2,500.00
14	Work Allowance	1	LS	$2,000.00	$2,000.00

BID

CONTRACTOR:

proj: Webster Street Concrete Street Repairs

RES. NO.: 12308
W.O. NO.: 12308

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: October 15th 2012

Bid Date: 7/11/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Pavement	935	SY		
2	Cement Concrete Pavement, Plain, 7" Class A - Includes Type "I-A" Curb	935	SY		
3	Type "O" Compacted Aggregate for Base, No 53	110	TON		
4	Backfill for Behind Curbs	45	TON		
5	Topsoil	25	TON		
6	Hydroseeding with Hydrostick or Equivalent Polymer for Erosion Contro	135	SY		
7	Sediguard Inlet Protection Device or Approved Equal	2	EA		
8	ADA Solutions, Armor-Tile or Approved Equal Surface Mount 2' x 4' Composit Tactile Warning Surface Units	2	EA		
9	Construction Sign Type A	6	EA		
10	Standard Barricade Type III with Road Closed Local Traffic Only Sign	2	EA		
11	Standard Barricade Type III	2	EA		
12	Mobilization / Demobilization	1	LS		
13	Maintance of Traffic	1	LS		
14	Work Allowance	1	LS	$2,000.00	

IMPROVEMENT RESOLUTION NO. 12308

WENONAH LANE CONCRETE STREET REPAIRS
WORK ORDER NO. 12308

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve Wenonah Lane from Ojibway Trail to Wendigo Lane by reconstructing the existing concrete pavement and installing underdrains.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 20th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12308
W.O. NO.: 12308

proj: Wenonah Lane Concrete Street Repairs

Bid Estimate:	$115,720.00
estimated e&i:	$28,930.00
Total estimate:	$144,650.00

Date: 6/13/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Pavement	2575	SY	$7.00	$18,025.00
2	Cement Concrete Pavement, Plain, 7" Class A - Includes Type "I-A" Curb	2575	SY	$26.00	$66,950.00
3	Asphalt Patching	15	SY	$10.00	$150.00
4	ADA Solutions, Armor-Tile or Approved Equal Surface Mount 2' x 4' Composit Tactile Warning Surface Units	4	EA	$250.00	$1,000.00
5	Type "O" Compacted Aggregate for Base, No 53	565	TON	$15.00	$8,475.00
6	Backfill for Behind Curbs	50	TON	$10.00	$500.00
7	Topsoil	20	TON	$15.00	$300.00
8	Hydroseeding with Hydrostick or Equivalent Polymer for Erosion Control	110	SY	$2.00	$220.00
9	Sediguard Inlet Protection Device or Approved Equal	4	EA	$75.00	$300.00
10	Underdrain, 6" Perforated Plastic, Group K Pipe(Including #8 Aggregate Backfill)	960	LF	$8.00	$7,680.00
11	Construction Sign Type A	5	EA	$80.00	$400.00
12	Standard Barricade Type III with Road Closed Local Traffic Only Sign	4	EA	$100.00	$400.00
13	Standard Barricade Type III	4	EA	$80.00	$320.00
14	Mobilization / Demobilization	1	LS	$5,000.00	$5,000.00
15	Maintance of Traffic	1	LS	$4,000.00	$4,000.00
16	Work Allowance	1	LS	$2,000.00	$2,000.00

BID

CONTRACTOR:

Proj: Wenonah Lane Concrete Street Repairs

RES. NO.: 12308
W.O. NO.: 12308

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: October 1st, 2012

Bid Date: 7/11/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Pavement	2575	SY		
2	Cement Concrete Pavement, Plain, 7" Class A - Includes Type "I-A" Curb	2575	SY		
3	Asphalt Patching	15	SY		
4	ADA Solutions, Armor-Tile or Approved Equal Surface Mount 2' x 4' Composit Tactile Warning Surface Units	4	EA		
5	Type "O" Compacted Aggregate for Base, No 53	565	TON		
6	Backfill for Behind Curbs	50	TON		
7	Topsoil	20	TON		
8	Hydroseeding with Hydrostick or Equivalent Polymer for Erosion Control	110	SY		
9	Sediguard Inlet Protection Device or Approved Equal	4	EA		
10	Underdrain, 6" Perforated Plastic, Group K Pipe(Including #8 Aggregate Backfill)	960	LF		
11	Construction Sign Type A	5	EA		
12	Standard Barricade Type III with Road Closed Local Traffic Only Sign	4	EA		
13	Standard Barricade Type III	4	EA		
14	Mobilization / Demobilization	1	LS		
15	Maintance of Traffic	1	LS		
16	Work Allowance	1	LS	$2,000.00	

2012 FILTER RENOVATIONS
IMPROVEMENT RESOLUTION
NO. 66113

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Improvements to Fort Wayne's Three Rivers Filtration Plant renovating two filter beds plus a possible third filter bed. The filter media and support gravel will be removed by the contractor and then the filter walls and bottom/floor cleaned. All materials shall be reinstalled by the contractor.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $155,000.00.

APPROVED THIS 20th DAY OF June, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria Edwards, Clerk

TO: Victoria Guerrero - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: June 12, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,672,760.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Westside Pump Station project, the Northwest Pressure Zone Pumping Improvements project, the 3RFP UV Disinfection Improvement project, issuance costs and the 3RFP North South Reservoir DI Piping procurement.

Draw #68	IURC	$ 67,265.00
Draw #69	HD Supply Waterworks Ltd.	566,791.00
Draw #70	D L Z	77,305.00
Draw #71	CH2M Hill	19,438.00
Draw #72	Bingham Greenebaum Loll LLP	344.00
Draw #73	Kokosing Construction Co.	775,026.00
Draw #74	H N T B	2,950.00
Draw #75	Kendall Electric Inc.	691.00
Draw #76	MacAllister Machinery Co. Inc.	162,950.00
	Total	**$1,672,760.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

June 20, 2012
Date

TO: Victoria Guerrero - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: June 12, 2012

RE: 2011 Water State Revolving Fund Loan - A Disbursement

Please include the following **2011 Water SRF - A disbursement** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payment in the amount of **$7,735.00.** This payment will be made with the 2011 Waterworks A State Revolving Fund Loan Program. This expense is for the IURC fee for the 2011 Water SRF – Series A loan.

Draw #9	Indiana Utility Regulatory Commission	$ 7,735.00

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

June 20, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: June 21, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,965,384.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw #67	Xylem Water Solutions USA Inc.	$ 30,000.00
Draw #68	Mason Engineering & Construction	27,917.00
Draw #70	Donohue & Assoc.	24,442.00
Draw #71	Engineering Technologies Inc.	8,905.00
Draw #72	GAI Consultants	13,250.00
Draw #69 & #73	Weigand Construction & Lake City Bank	1,860,870.00
	Total Payments	**$1,965,384.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

June 27, 2012
Date

DISTRIBUTION EASEMENT- Corporation, OH & UG Easement No._____

THIS INDENTURE, made this 27th day of June, 2012 by and between **the City of Fort Wayne, Indiana, acting by and through its Board of Public Works,** whose address is 200 E. Berry St., Fort Wayne, Indiana 46802-1815("Grantor"), and **INDIANA MICHIGAN POWER COMPANY**, an Indiana corporation whose post office address is P.O. Box 60, One Summit Square, Fort Wayne, Indiana, 46801 ("Grantee").

WITNESSETH: That for one Dollar ($1.00) and other good and valuable considerations in hand paid, the receipt and sufficiency of which Grantor hereby acknowledges, Grantor does hereby grant and convey to Grantee an easement for the construction, operation, use, maintenance, repair, renewal and removal of a line or lines of overhead and underground facilities and equipment for the transmission of electrical energy and for communication purposes, including the right to permit attachments of others to said facilities, in, on, along, under, over, across and through the following described Premises situated in Section 8, St. Joseph Township, Township 31 North, Range 13 East, Allen County, Indiana, to wit: Being the same (or a part of the same) property conveyed to the City of Fort Wayne by deeds recorded in **Document#205057466, Parcel # 02-08-08-376-003.001-072 and Deed Record 344 pages 211-218, Parcel #'s 02-08-08-154-006.000-072 and 02-08-08-301-002.002-072**, in the office of the Recorder of Allen County, Indiana, to which reference is made for further description.

Part of the J. B. Richardville Reserve and part of the South Half of Section 8, St. Joseph Township, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows.

A strip of land 20 feet in width lying 10 feet each side of a line, as installed, as shown on Sketch 6-12-CITY attached hereto and hereby made a part of this document, all parties having a copy of said sketch.

TOGETHER with the right of ingress and egress to, from and over said Premises, and also the right to cut or trim and/or remove any trees or bushes which may endanger the safety or interfere with the construction and use of said facilities.

Grantee shall promptly repair or replace all physical damage on the Premises proximately caused by the construction, operation and maintenance of Grantee's Facilities.

The Grantor warrants that no structure or building shall be erected upon said easement.

After the completion of said system, the Grantor reserves the full use of the land which is not inconsistent with the existence and maintenance of said facilities but does agree not to change elevation or grade within the area of said easement without the written prior consent of Grantee.

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions and shall be binding on their respective representatives, heirs, successors and assigns.

IN WITNESS WHEREOF, Grantor has caused its corporate name and seal to be hereto affixed this 27th day of June, 2012.

The City of Fort Wayne, Indiana, acting by and through its Board of Public Works

By: _____
Signature – Robert P. Kennedy, Chairman

By: _____
Signature – Kumar Menon, Member

By: _____
Signature – Mike Avila, Member

Attest: _____
Signature – Victoria Edwards, Clerk

This instrument was prepared by Karen A. Palmer, Right-of-Way Agent for Indiana Michigan Power Company.

I affirm, under penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law, Karen A. Palmer.

C:citybeckettsruneas.mw

IMPROVEMENT RESOLUTION NO. 12249

BLUFFTON ROAD SIDEWALK CONSTRUCTION
WORK ORDER NO. 12249

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: BLUFFTON ROAD (EAST SIDE) FROM MAPLEWOOD RD. TO DALE DR., BY CONSTRUCTION OF CONCRETE SIDEWALK AND CONCRETE CURBFACE WALK; CONCRETE CORNER WALK AND RAMPS, TOPSOIL AND HYDRO-SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 27th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

proj: Bluffton Road Sidewalk

RES. NO.: 12249
W.O. NO.: 12249

Bid Estimate: $74,220.00
estimated e&i: $5,780.00
Total estimate: $80,000.00

Date: 6/20/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Common Excavation	155	CY	$15.00	$2,325.00
2	Removal of Concrete Pavement	35	SY	$6.00	$210.00
3	Removal of Concrete	210	SY	$6.00	$1,260.00
4	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	35	SY	$26.00	$910.00
5	Concrete Curb Type III	25	LF	$15.00	$375.00
6	Concrete Curbface Walk 6'	580	SY	$40.00	$23,200.00
7	Concrete Sidewalk (4")	222	SY	$25.00	$5,550.00
8	Concrete Pavement for Residential Drives (6")	280	SY	$30.00	$8,400.00
9	Concrete Retaining Curb for Back of Walk	65	LF	$10.00	$650.00
10	Concrete Wingwalk and Ramps (6")	60	SY	$40.00	$2,400.00
11	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	7	EA	$200.00	$1,400.00
12	Asphalt / Concrete Pavement Patching	130	SY	$50.00	$6,500.00
13	Asphalt Patching (Undistributed)	12	TON	$100.00	$1,200.00
14	Bedcourse Material	190	TON	$15.00	$2,850.00
15	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	935	SY	$2.00	$1,870.00
16	Top Soil	70	TON	$15.00	$1,050.00
17	Casting, Adjusted to Grade	4	EA	$125.00	$500.00
18	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	4	EA	$50.00	$200.00
19	Water Valve (Curb-Box) Adjusted to Grade	16	EA	$45.00	$720.00
20	Water Valve (Line Valve) Adjusted to Grade	4	EA	$50.00	$200.00
21	Furnish Valve Box and Adjust to Grade (Undistributed)	1	EA	$125.00	$125.00
22	Linear Grading	2	STA	$400.00	$800.00
23	Construction Sign, Type "A"	2	EA	$50.00	$100.00
24	Construction Sign, Type "A" with Warning Light Type "A"	6	EA	$75.00	$450.00
25	Standard Barricade, Type III-B	6	EA	$100.00	$600.00
26	Standard Barricade, Type III-B with sign and Warning Light	3	EA	$125.00	$375.00
27	Work Allowance	1	LS	$4,000.00	$4,000.00
28	Maintenance of Traffic	1	LS	$2,700.00	$2,700.00
29	Mobilization / Demobilization	1	LS	$3,300.00	$3,300.00

BID
CONTRACTOR:

proj: Bluffton Road Sidewalk

RES. NO.: 12249
W.O. NO.: 12249

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 10/19/2012

Bid Date: 7/18/1012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Common Excavation	155	CY		
2	Removal of Concrete Pavement	35	SY		
3	Removal of Concrete	210	SY		
4	Cement Concrete Pavement, Plain 7" Class A (incl. Type I-A Curb)	35	SY		
5	Concrete Curb Type III	25	LF		
6	Concrete Curbface Walk 6'	580	SY		
7	Concrete Sidewalk (4")	222	SY		
8	Concrete Pavement for Residential Drives (6")	280	SY		
9	Concrete Retaining Curb for Back of Walk	65	LF		
10	Concrete Wingwalk and Ramps (6")	60	SY		
11	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	7	EA		
12	Asphalt / Concrete Pavement Patching	130	SY		
13	Asphalt Patching (Undistributed)	12	TON		
14	Bedcourse Material	190	TON		
15	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	935	SY		
16	Top Soil	70	TON		
17	Casting, Adjusted to Grade	4	EA		
18	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	4	EA		
19	Water Valve (Curb-Box) Adjusted to Grade	16	EA		
20	Water Valve (Line Valve) Adjusted to Grade	4	EA		
21	Furnish Valve Box and Adjust to Grade (Undistributed)	1	EA		
22	Linear Grading	2	STA		
23	Construction Sign, Type "A"	2	EA		
24	Construction Sign, Type "A" with Warning Light Type "A"	6	EA		
25	Standard Barricade, Type III-B	6	EA		
26	Standard Barricade, Type III-B with sign and Warning Light	3	EA		
27	Work Allowance	1	LS	$4,000.00	
28	Maintenance of Traffic	1	LS		
29	Mobilization / Demobilization	1	LS		

IMPROVEMENT RESOLUTION NO. 12310

2012- 2nd District Concrete Street Repairs

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Waycliffe Drive from Willowind Trail to Cul-de-sac, Also Woodland Crossing and Watergrove Trail by spot repair of concrete street, curbs, subsurface drains and restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 27th day of June, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chair

Kumar Menon, Member

Mike Avila, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: 2012 - 2nd District Concrete Street Repairs

RES. NO.:
W.O. NO.: 12310

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: 10/12/2012

_____
Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS		
2	Removal of Concrete Pavement (Includes Type "I-A Curb)	2969	SY		
3	Cement Concrete Pavement, Plain, 7" CLASS A	2907	SY		
4	Concrete for Residential Drives (undistributed)	62	SY		
5	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	1456	LF		
6	Type "O" compacted Aggregate for Base No. 53 or No. 8	1036	TN		
7	Top Soil	110	TN		
8	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	555	SY		
9	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	1	EA		
10	Casting, Adjusted to Grade	1	EA		
11	Water Valves Adjusted to Grade (undistributed)	2	EA		
12	Construction Signs, Type A with Construction Warning Light Type A	1	EA		
13	Standard Barricade, Type III-B	2	EA		
14	Standard Barricade, Type III-B With Signs, Type B Construction	2	EA		
15	Maintenance of Traffic	1	LS		
16	Work Allowance	1	as needed	$2,500.00	
17	Removal of Curb	80	LF		
18	Curb Type I-B (Special)	80	LF		

ESTIMATE OF QUANTITIES

RES. NO.:
W.O. NO.: 12310

proj: 2012 - 2nd District Concrete Street Repairs

Bid Estimate:	$128,162.50
estimated e&i:	$25,632.50
Total estimate:	$153,795.00

Date: 6/20/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Mobilization / Demobilization	1	LS	$3,250.00	$3,250.00
2	Removal of Concrete Pavement (Includes Type "I-A Curb)	2969	SY	$6.00	$17,814.00
3	Cement Concrete Pavement, Plain, 7" CLASS A	2907	SY	$24.50	$71,221.50
4	Concrete for Residential Drives (undistributed)	62	SY	$27.00	$1,674.00
5	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	1456	LF	$6.50	$9,464.00
6	Type "O" compacted Aggregate for Base No. 53 or No. 8	1036	TN	$14.00	$14,504.00
7	Top Soil	110	TN	$15.00	$1,650.00
8	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	555	SY	$2.00	$1,110.00
9	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	1	EA	$35.00	$35.00
10	Casting, Adjusted to Grade	1	EA	$100.00	$100.00
11	Water Valves Adjusted to Grade (undistributed)	2	EA	$40.00	$80.00
12	Construction Signs, Type A with Construction Warning Light Type A	1	EA	$60.00	$60.00
13	Standard Barricade, Type III-B	2	EA	$100.00	$200.00
14	Standard Barricade, Type III-B With Signs, Type B Construction	2	EA	$110.00	$220.00
15	Maintenance of Traffic	1	LS	$2,600.00	$2,600.00
16	Work Allowance	1	as needed	$2,500.00	$2,500.00
17	Removal of Curb	80	LF	$5.00	$400.00
18	Curb Type I-B (Special)	80	LF	$16.00	$1,280.00

IMPROVEMENT RESOLUTION NO. 12271

NORTH ANTHONY CROSSWALK
WORK ORDER NO. 12271

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: North Anthony Boulevard between the Maumee River and Niagara Drive by reconstructing the existing curb-faced walk and adding ADA curbramps and the realignment of the existing trail.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 11th day of July, 2012

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: North Anthony Crosswalk

RES. NO.: 12271
W.O. NO.: 12271

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: October 19th, 2012

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Common Excavation	40	CY		
2	Removal of Concrete	98	SY		
3	Concrete Curbface Sidewalk (6")	21	SY		
4	Concrete Sidewalk (6")	171	SY		
5	Concrete Wingwalks & Curbramps	79	SY		
6	Strain Pole Foundation with Anchor Bolts	2	EA		
7	Approved Replaceable 2' x 4' Composite Wetset Tactile Warning Unit	6	EA		
8	Bed Coarse Material	30	TN		
9	Top Soil	30	TN		
10	Hydroseeding with Polymer for Erosion Control	120	SY		
11	Flashing Arrow Board	10	DAYS		
12	Type "A" Construction Signs	3	EA		
13	Mobilization and Demobilization	1	LS		
14	Maintenance of Traffic	1	LS		
15	Work Allowance	1	LS	$1,500.00	

ESTIMATE OF QUANTITIES

RES. NO.: 12271
W.O. NO.: 12271

proj: North Anthony Crosswalk

Bid Estimate: $17,903.00
estimated e&i: $4,100.00
Total estimate: $22,003.00

Date:

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Common Excavation	40	CY	$18.00	$720.00
2	Removal of Concrete	98	SY	$10.00	$980.00
3	Concrete Curbface Sidewalk (6")	21	SY	$28.00	$588.00
4	Concrete Sidewalk (6")	171	SY	$25.00	$4,275.00
5	Concrete Wingwalks & Curbramps	79	SY	$40.00	$3,160.00
6	Strain Pole Foundation with Anchor Bolts	2	EA	$1,200.00	$2,400.00
7	Approved Replaceable 2' x 4' Composite Wetset Tactile Warning Unit	6	EA	$200.00	$1,200.00
8	Bed Coarse Material	30	TN	$12.00	$360.00
9	Top Soil	30	TN	$18.00	$540.00
10	Hydroseeding with Polymer for Erosion Control	120	SY	$2.00	$240.00
11	Flashing Arrow Board	10	DAYS	$35.00	$350.00
12	Type "A" Construction Signs	3	EA	$80.00	$240.00
13	Mobilization and Demobilization	1	LS	$750.00	$750.00
14	Maintenance of Traffic	1	LS	$600.00	$600.00
15	Work Allowance	1	LS	$1,500.00	$1,500.00

IMPROVEMENT RESOLUTION NO. 12309

BAHAMA DRIVE CONCRETE STREET REPAIR
WORK ORDER NO. 12309

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Bahama Lane, from # 4914 to # 5026 by reconstruction of the concrete street, installation of sub-surface drain, installation of ADA ramps at the intersection of Andros Lane and restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 11th day of July, 2012

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: Bahama Drive Concrete Street Repairs

RES. NO.: 12309
W.O. NO.: 12309

TOTAL BID AMT: _____

required completion date: October 19th, 2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Pavement	1803	SY		
2	Removal of Concrete	55	SY		
3	Concrete Sidewalk (4")	20	SY		
4	Cement Concrete Pavement, Plain (7") Class A (incl. Type I-A Curb)	1803	SY		
5	Concrete Wingwalk & Ramps (6")	35	SY		
6	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' x 4' Composite Wetset Tactile Warning Surface Units	4	EA		
7	New 24" Round Manhole Casting, Furnished & Adjusted to Grade	2	EA		
8	New 2' x 2' Curb and Gutter Casting, Furnished & Adjusted to Grade	4	EA		
9	Underdrain 6" Perferated Plastic, Group K Pipe (including #8 Aggregate Backfill)	1145	LF		
10	Type "O" Compacted Aggregate for Base, No. 53.	400	TN		
11	Backfill Behind the Curb	65	TN		
12	Topsoil	60	TN		
13	Hydroseeding With Hydrostick of Equivalent Polymer for Erosion Control	260	SY		
14	Adjust Water Valve to Grade	1	EA		
15	Sediguard Inlet Protection Device of Approved Equal	4	EA		
16	Construction Sign Type - A	3	EA		
17	Standard Barricade, Type III with Road Closed Local Traffic Only Sign	3	EA		
18	Mobilization / Demobilization	1	LS		
19	Maintenance of Traffic	1	LS		
20	Work Allowance	1	LS	$3,000.00	

ESTIMATE OF QUANTITIES

RES. NO.: 12309
W.O. NO.: 12309

proj: Bahama Drive Concrete Street Repairs

Bid Estimate:	$87,876.50
estimated e&i:	$21,969.13
Total estimate:	$109,845.63

Date: 6/26/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Pavement	1803	SY	$7.00	$12,621.00
2	Removal of Concrete	55	SY	$7.00	$385.00
3	Concrete Sidewalk (4")	20	SY	$24.00	$480.00
4	Cement Concrete Pavement, Plain (7") Class A (incl. Type I-A Curb)	1803	SY	$24.00	$43,272.00
5	Concrete Wingwalk & Ramps (6")	35	SY	$40.00	$1,400.00
6	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' x 4' Composite Wetset Tactile Warning Surface Units	4	EA	$200.00	$800.00
7	New 24" Round Manhole Casting, Furnished & Adjusted to Grade	2	EA	$400.00	$800.00
8	New 2' x 2' Curb and Gutter Casting, Furnished & Adjusted to Grade	4	EA	$400.00	$1,600.00
9	Underdrain 6" Perforated Plastic, Group K Pipe (including #8 Aggregate Backfill)	1145	LF	$7.50	$8,587.50
10	Type "O" Compacted Aggregate for Base, No. 53.	400	TN	$14.00	$5,600.00
11	Backfill Behind the Curb	65	TN	$5.00	$325.00
12	Topsoil	60	TN	$15.00	$900.00
13	Hydroseeding With Hydrostick of Equivalent Polymer for Erosion Control	260	SY	$2.00	$520.00
14	Adjust Water Valve to Grade	1	EA	$150.00	$150.00
15	Sediguard Inlet Protection Device of Approved Equal	4	EA	$50.00	$200.00
16	Construction Sign Type - A	3	EA	$60.00	$180.00
17	Standard Barricade, Type III with Road Closed Local Traffic Only Sign	3	EA	$60.00	$180.00
18	Mobilization / Demobilization	1	LS	$3,820.00	$3,820.00
19	Maintenance of Traffic	1	LS	$3,056.00	$3,056.00
20	Work Allowance	1	LS	$3,000.00	$3,000.00

IMPROVEMENT RESOLUTION NO. 12317

Osage Street Sidewalk & Retaining Wall Repair
WORK ORDER NO. 12317

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: The concrete retaining wall at the Osage railroad underpass, between Burgess Street and Richardson Street, by replacing 24 lineal feet of retaining wall and surface patching 90 lineal feet of retaining wall.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 11 day of July, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: Osage Street Street Sidewalk & Retaining Wall Repairs

RES. NO.: 12317
W.O. NO.: 12317

TOTAL BID AMT: _____

required completion date: 9/30/2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization/Demobilization	1	LS		
2	Construction Staking	1	LS		
3	Common Excavation	15	CY		
4	Concrete Facia and Cap Removal	90	LF		
5	Concrete Sidewalk Removal	5	SY		
6	Removal of existing handrail (cap in old section)	145	LF		
7	Concrete Class A, in Structures	15	CY		
8	#6 bar x 9" Field Drilled hole in Concrete	25	EA		
9	Reinforcing Steel	1200	LBS		
10	Flowable fill for Structural backfill	10	CY		
11	Hand Rail (new)	140	LF		
12	Concrete Sidewalk	5	SY		
13	Pavement patching	24	LF		
14	Construction Sign, Type A	4	EA		
15	Construction Sign, Type B	3	EA		
16	Barricade Type III-B with lights	7	EA		
17	Maintenance of Traffic	1	LS		
18	Work Allowance	1	LS	$5,000.00	

ESTIMATE OF QUANTITIES

RES. NO.: 12317
W.O. NO.: 12317

proj: Osage Street Street Sidewalk & Retaining Wall Repairs

Bid Estimate: $35,615.50
estimated e&i: $8,903.88
Total estimate: $44,519.38

Date:

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Mobilization/Demobilization	1	LS	$3,500.00	$3,500.00
2	Construction Staking	1	LS	$500.00	$500.00
3	Common Excavation	15	CY	$25.00	$375.00
4	Concrete Facia and Cap Removal	90	LF	$15.00	$1,350.00
5	Concrete Sidewalk Removal	5	SY	$15.00	$75.00
6	Removal of existing handrail (cap in old section)	145	LF	$3.50	$507.50
7	Concrete Class A, in Structures	15	CY	$600.00	$9,000.00
8	#6 bar x 9" Field Drilled hole in Concrete	25	EA	$10.00	$250.00
9	Reinforcing Steel	1200	LBS	$2.50	$3,000.00
10	Flowable fill for Structural backfill	10	CY	$60.00	$600.00
11	Hand Rail (new)	140	LF	$60.00	$8,400.00
12	Concrete Sidewalk	5	SY	$50.00	$250.00
13	Pavement patching	24	LF	$12.00	$288.00
14	Construction Sign, Type A	4	EA	$80.00	$320.00
15	Construction Sign, Type B	3	EA	$100.00	$300.00
16	Barricade Type III-B with lights	7	EA	$200.00	$1,400.00
17	Maintenance of Traffic	1	LS	$500.00	$500.00
18	Work Allowance	1	LS	$5,000.00	$5,000.00

Dupont Lift Station Improvements
RESOLUTION 75667

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Dupont Lift Station improvements to include new access drive and valve vault.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Dupont Lift Station Improvements

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (2010 Revenue Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $ 56,000.00.

Declares this project is being done in effort to comply with the City of Fort Wayne's Consent Decree issued by the EPA.

APPROVED THIS 11th DAY OF July, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: Mike Avila
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

Hazelett Road Storm Drainage Improvement
RESOLUTION NO. 2180-2010
WORK ORDER NO. 83320

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of an improved culvert under Hazelett Road and an improved side ditch on the east side of Hazelett Road.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Hazelett Road Storm Drainage Improvements.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Storm Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $60,000.00.

APPROVED THIS 11th DAY OF July, 2012.

Board of Stormwater Management

BY: _____
Robert P. Kennedy, Chair

BY: _____
Mike Avila, Member

BY: _____
Matthew A. Wirtz, Member

ATTEST: _____
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: June 26, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$474,033.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the WPCP Digester #5 Upgrade Design project, WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the Digester Electrical Building project, the Medium Diameter CIPP 2010 project, the WPCP Digester Gas Improvement project Ph 3, the LTCP Design Management project and the Snider/Glenwood Park Sewer Separation project.

Draw #387 & #388	Donohue & Assoc.	$ 12,532.00
Draw #389, #395 & #399	CH2M Hill	39,551.00
Draw #390	Hagerman Inc. & Star Financial Bank	193,389.00
Draw #391	Robert E. Crosby	23,579.00
Draw #392 & #394	GAI Consultants	54,523.00
Draw #393	Clark Dietz	26,114.00
Draw #396	Insituform Technologies Inc.	74,078.00
Draw #397	D L Z	9,470.00
Draw #398	Malcolm Pirnie	40,797.00
	Total Payments	**$474,033.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

Date: July 11, 2012

IMPROVEMENT RESOLUTION NO. 12288

2012 - MISCELLANEOUS CONSTRUCTION PACKAGE
WORK ORDER NO. 12288

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: Sidewalks, residential drives, or curbs as following throughout the city.

6407 Woodrock Dr.
6507 Woodrock Dr.
6519 Woodrock Dr.
6026 Cordava Ct.
8207 Castle Pines Pl.
8213 Castle Pines Pl.
6208 Brandonwood Ln.
6107 High Gate Pl.
7009 Morningknoll Dr.
938 Lake Ave.
1311 Normandale Dr.
2812 Mardigras Ln.
6312 Chatham Dr.
1011 Packard Ave.
4029 Tacoma Ave.
2129 Owaissa Way
3603 Webster St.
116 Branning Ave.
6034 Waycross Dr.
4102 Reed St.
3932 Oliver St.
4735 Oliver St.
310 Flemming Ave.
3010 Holton Ave.
1335 Wildwood Ave.
SE corner of Coliseum and Hobson
4011 Daner Dr.
SE corner of Industrial and Ley
4411 Executive Dr.
North side of Eastwick at Berkley Ave.
North east corner of State Blvd. & Forest Park Blvd.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for sidewalks, yardwalks and or curb shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is

benefited by said improvement and the cost for curb ramps, wing walks, tree removal and replacement shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 18th day of July, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: 2012 - MISCELLANEOUS CONSTRUCTION PACKAGE

RES. NO.: 12288
W.O. NO.: 12288

TOTAL BID AMT: _____

required completion date: October 15, 2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date: August 8, 2012

Contractors Signature _____

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	648	SY		
2	CONCRETE SIDEWALK	541	SY		
3	CONCRETE CURBFACE WALK	5.1	SY		
4	CONCRETE RESIDENTIAL DRIVE 6"	102	SY		
5	REMOVAL OF CURBS	239	LF		
6	CONCRETE CURB TYPE I-B	179	LF		
7	CONCRETE CURB TYPE II-A	19	LF		
8	CONCRETE CURB TYPE III	24	LF		
9	CONCRETE CURB TYPE III MODIFIED	15	LF		
10	BED COURSE MATERIAL	76	TON		
11	TREE REMOVAL 8" - 17" (STUMP REMOVED 6" BELOW GRADE)	1	EA		
12	TREE REMOVAL 18" - 35" (STUMP REMOVED BELOW GRADE)	5	EA		
13	TREE REMOVAL 36" AND UP (STUMP REMOVED 6" BELOW GRADE)	3	EA		
14	REMOVAL OF ASPHALT PAVEMENT	120	SY		
15	CASTING ADJUSTED TO GRADE	1	EA		
16	WATER CURB BOX ADJUSTED TO GRADE	3	EA		
17	BACKFILL BEHIND CURBS	9	TON		
18	TOPSOIL	84	TON		
19	HYDROSEED	452	SY		
20	SEDIGUARD INLET PROTECTION	10	EA		
21	MAINTENANCE OF TRAFFIC	1	LS		
22	MOBILIZATION AND DEMOBILIZATION	1	LS		
23	WORK ALLOWANCE	1	LS	$5,000.00	

ESTIMATE OF QUANTITIES

RES. NO.: 12288
W.O. NO.: 12288

proj: 2012 - MISCELLANEOUS CONSTRUCTION PACKAGE

Bid Estimate: $50,407.22
estimated e&i: $6,489.28
Total estimate: $56,896.50

Date: July 12, 2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	648	SY	$7.00	$4,536.00
2	CONCRETE SIDEWALK	541	SY	$25.00	$13,525.00
3	CONCRETE CURBFACE WALK	5.1	SY	$40.00	$204.00
4	CONCRETE RESIDENTIAL DRIVE 6"	102	SY	$27.00	$2,754.00
5	REMOVAL OF CURBS	239	LF	$6.00	$1,434.00
6	CONCRETE CURB TYPE I-B	179	LF	$13.00	$2,327.00
7	CONCRETE CURB TYPE II-A	19	LF	$9.00	$171.00
8	CONCRETE CURB TYPE III	24	LF	$15.00	$360.00
9	CONCRETE CURB TYPE III MODIFIED	15	LF	$20.00	$300.00
10	BED COURSE MATERIAL	76	TON	$20.00	$1,520.00
11	TREE REMOVAL 8" - 17" (STUMP REMOVED 6" BELOW GRADE)	1	EA	$800.00	$800.00
12	TREE REMOVAL 18" - 35" (STUMP REMOVED BELOW GRADE)	5	EA	$1,000.00	$5,000.00
13	TREE REMOVAL 36" AND UP (STUMP REMOVED 6" BELOW GRADE)	3	EA	$1,200.00	$3,600.00
14	REMOVAL OF ASPHALT PAVEMENT	120	SY	$12.00	$1,440.00
15	CASTING ADJUSTED TO GRADE	1	EA	$150.00	$150.00
16	WATER CURB BOX ADJUSTED TO GRADE	3	EA	$50.00	$150.00
17	BACKFILL BEHIND CURBS	9	TON	$8.00	$72.00
18	TOPSOIL	84	TON	$15.00	$1,260.00
19	HYDROSEED	452	SY	$2.00	$904.00
20	SEDIGUARD INLET PROTECTION	10	EA	$100.00	$1,000.00
21	MAINTENANCE OF TRAFFIC	1	LS	$1,622.32	$1,622.32
22	MOBILIZATION AND DEMOBILIZATION	1	LS	$2,277.90	$2,277.90
23	WORK ALLOWANCE	1	LS	$5,000.00	$5,000.00

IMPROVEMENT RESOLUTION NO. 12316

SOUTHGATE PLAZA SIDEWALKS
WORK ORDER NO. 12316

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: The south side of Pettit Ave. with new sidewalk from Calhoun St. to 100' west of Calumet Ave. Included will be sidewalk, ADA ramps, and crosswalk pavement markings.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 18th day of July, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

ESTIMATE OF QUANTITIES

RES. NO.: 12316
W.O. NO.: 12316

proj: SOUTHGATE PLAZA SIDEWALK

Bid Estimate: $26,958.14
estimated e&i: $3,516.86
Total estimate: $30,475.00

Date:

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	16	SY	$7.00	$112.00
2	CONCRETE SIDEWALK 4"	480	SY	$30.00	$14,400.00
3	REMOVAL OF CURBS	60	LF	$10.00	$600.00
4	TYPE III CURB	35	LF	$20.00	$700.00
5	CONCRETE WINGWALK & RAMPS 6"	12	SY	$40.00	$480.00
6	WHITE THERMALPLASTIC 2'x8' PIANO KEYS	72	LF	$9.00	$648.00
7	WHITE THERMALPLASTIC 4" CROSSWALK	163	LF	$2.00	$326.00
8	WHITE THERMALPLASTIC STOP BAR 24"	60	LF	$8.00	$480.00
9	COMMON EXCAVATION	85	CY	$25.00	$2,125.00
10	BEDCOURSE MATERIAL	60	TON	$15.00	$900.00
11	CASTINGS ADJUSTED TO GRADE	4	EA	$250.00	$1,000.00
12	SEDIGUARD INLET PROTECTION	3	EA	$100.00	$300.00
13	TYPE A TRAFFIC SIGNS (RCA, RIGHT LANE CLOSED AHEAD, ETC)	6	EA	$50.00	$300.00
14	TOP SOIL	40	TON	$15.00	$600.00
15	HYDRO-SEED	225	SY	$2.00	$450.00
16	REPLACEABLE 2'x4' WETSET TACTILE WARNING SURFACE UNITS	2	EA	$200.00	$400.00
17	MAINTENANCE OF TRAFFIC	1	LS	$949.84	$949.84
18	MOBILIZATION & DEMOBILIZATION	1	LS	$1,187.30	$1,187.30
19	WORK ALLOWANCE	1	LS	$1,000.00	$1,000.00

BID

CONTRACTOR:

proj: SOUTHGATE PLAZA SIDEWALK

RES. NO.: 12316
W.O. NO.: 12316

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: October 15, 2012

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	16	SY		
2	CONCRETE SIDEWALK 4"	480	SY		
3	REMOVAL OF CURBS	60	LF		
4	TYPE III CURB	35	LF		
5	CONCRETE WINGWALK & RAMPS 6"	12	SY		
6	WHITE THERMALPLASTIC 2'x8' PIANO KEYS	72	LF		
7	WHITE THERMALPLASTIC 4" CROSSWALK	163	LF		
8	WHITE THERMALPLASTIC STOP BAR 24"	60	LF		
9	COMMON EXCAVATION	85	CY		
10	BEDCOURSE MATERIAL	60	TON		
11	CASTINGS ADJUSTED TO GRADE	4	EA		
12	SEDIGUARD INLET PROTECTION	3	EA		
13	TYPE A TRAFFIC SIGNS (RCA, RIGHT LANE CLOSED AHEAD, ETC)	6	EA		
14	TOP SOIL	40	TON		
15	HYDRO-SEED	225	SY		
16	REPLACEABLE 2'x4' WETSET TACTILE WARNING SURFACE UNITS	2	EA		
17	MAINTENANCE OF TRAFFIC	1	LS		
18	MOBILIZATION & DEMOBILIZATION	1	LS		
19	WORK ALLOWANCE	1	LS		

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: July 10, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,106,368.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Westside Pump Station project, the Northwest Pressure Zone Pumping Improvements project and the 3RFP UV Disinfection Improvement project.

Draw #77	J & K Communications Inc.	$ 7,860.00
Draw #78	Mason Engineering & Construction	31,660.00
Draw #79	CH2M Hill	28,692.00
Draw #80	Kokosing Construction Co.	1,026,483.00
Draw #81 & #82	City Utilities – Fort Wayne Municipal Waterworks	11,673.00
	Total	**$1,106,368.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

July 18, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: July 12, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,441,718.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw #74, #75 & #76	CH2M Hill Inc.	$ 44,246.00
Draw #77	American Structurepoint Inc.	21,104.00
Draw #78	Fontaine USA Inc.	20,000.00
Draw #79	Insituform Technologies USA Inc. & Fifth Third Bank	255,144.00
Draw #80	Mason Engineering & Construction	6,329.00
Draw #81	Fleis & Vandenbrink Engineering Inc.	1,518.00
Draw #82 & #83	City Utilities – Ft. Wayne Municipal Sewage Works	2,518.00
Draw #84	Engineering Technologies Inc.	3,445.00
Draw #85	Donohue & Associates	34,705.00
Draw #86 & #87	Weigand Construction Co. and Lake City Bank	1,052,709.00
	Total Payments	**$1,441,718.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

July 18, 2012
Date

Windsong Court Storm Drainage Improvements
RESOLUTION NO. 83313

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of 12" Storm Sewer System in the vicinity of 2300 block of Windsong Court.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Windsong Court - Storm Drainage Improvements.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Storm Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $80,000.00.

APPROVED THIS 25th DAY OF July, 2012.

Board of Stormwater Management

BY: _____
Robert P. Kennedy, Chair

BY: _____
Mike Avila, Member

BY: _____
Matthew A. Wirtz, Member

ATTEST: _____
Victoria Edwards, Clerk

ASPHALT PAD FOR YARD WASTE AREA
RESOLUTION NO. 75051

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Installation of a new asphalt pavement at the Biosolids Facility yard waste area as well as milling and resurfacing around the weigh station at the entrance of the facility.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, ASPHALT PAD FOR YARD WASTE AREA

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne 2010 Sewer Utility Revenue Bond

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $119,000.

APPROVED THIS 1st DAY OF August, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: Mike Avila
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

WPCP East Secondary High Flow Protection

RESOLUTION NO. 0014-2012

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This work is generally described as replacement of deteriorated drain valves, process piping, & installation of new check valves associated with the East Secondary Clarifiers at the Fort Wayne Water Pollution Control Plant.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, WPCP East Secondary High Flow Protection.

Declares the cost of the said improvements shall be paid by the funds from Sewer Reveue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $50,000.00.

APPROVED THIS 8th DAY OF August, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy

BY: _____
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: July 30, 2012

RE: 2009 Sewer SRF – Series A (STATE REVOLVING FUNDS) – **2009 ARRA**

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$146,753.00.** These payments will be made with the 2009 Sewage Works State Revolving Fund Loan Program - Series A (ARRA). These expenses are for the Woodrow/Vance Partial Sewer Separation Phase 2 project.

Draw #74	All Star Construction & Excavating & Lake City Bank	$146,753.00

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

August 8, 2012
Date

Interstate Business Park – Spy Run Creek Plantings Project
RESOLUTION NO. 83330

RESOLUTION BY THE BOARD OF STORMWATER MANAGEMENT of the City of Fort Wayne, Indiana that:

Orders the installation of approximately 17 acres of wetland and native plants, shrubs and trees as part of the Interstate Business Park Spy Run Creek flood control basins project at I-69 and Progress Dr.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Interstate Business Park – Spy Run Creek Plantings Project.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Stormwater Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares the engineer's estimate of the project's total cost is $140,000.00.

APPROVED THIS 22nd DAY OF August, 2012.

BOARD OF STORMWATER MANAGEMENT

BY: _____
Robert P. Kennedy, Chairman

BY: _____
Matthew A. Wirtz, Member

BY: _____
Mike Avila, Member

ATTEST: _____
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: August 7, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$109,344.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw #88	Engineering Technologies Inc	$ 260.00
Draw #89	Fleis & Vandenbrink Engineering Inc.	441.00
Draw #90	American Structurepoint Inc.	14,513.00
Draw #91	GAI Consultants	19,901.00
Draw #92	Mason Engineering & Construction	10,296.00
Draw #93, #94 & #95	CH2M Hill Engineers Inc.	63,933.00
	Total Payments	**$ 109,344.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

August 22, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: August 7, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$872,966.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the Digester Electrical Building project, the LTCP Design Management project and the Pontiac Sewer Separation project.

Draw 410	D L Z	$ 898.00
Draw 411 & 412	GAI Consultants	21,789.00
Draw 413	Hagerman Inc. & Star Financial Bank	331,182.00
Draw 414	Arcadis/Malcolm Pirnie	11,244.00
Draw 415 & 418	Robert E. Crosby Inc.	196,049.00
Draw 416	Miller Contracting Group Inc.	294,754.00
Draw 417	URS Corporation	4,630.00
Draw 419	CH2M Hill	12,420.00
	Total Payments	**$872,966.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

Date: August 22, 2012

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: August 10, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,249,204.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Westside Pump Station project, the Northwest Pumps 4 & 5 project, the Bluffton Rd. – Lwr. Huntington Water Main Replacement project and the 3RFP UV Disinfection Improvement project.

Draw #83 & #84	D L Z	$ 45,233.00
Draw #85	Kurtz Excavating Inc.	196,955.00
Draw #86	H N T B	2,519.00
Draw #87	Kendall Electric Inc.	42,928.00
Draw #88	Kokosing Construction Co. Inc.	961,569.00
	Total	**$1,249,204.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

August 22, 2012
Date

IMPROVEMENT RESOLUTION NO. 12315

SOUTH ANTHONY BLVD. CURBFACE SIDEWALK RECONSTRUCTION
WORK ORDER NO. 12315

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: South Anthony Blvd. from Maumee Ave. to Luther St. by reconstructing the existing curbface sidewalks, drive approaches and curb ramps as needed.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 29th day of August, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: South Anthony Blvd. Curbface Sidewalk Reconstruction

RES. NO.: 12315
W.O. NO.: 12315

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: November 15th, 201

_____

Bid Date: 9/19/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Curb	670	SY		
2	Removal of Concrete	1215	SY		
3	Removal of Pavement	310	SY		
4	Concrete Sidewalk (4")	15	SY		
5	Concrete Curbface Sidewalk (6")	1110	SY		
6	Concrete Wingwalk and Ramps	130	SY		
7	Cement Concrete Pavement, Plain Recessed 2" for Asphalt Patching(includes asphalt patching)	92	SY		
8	Cement Concrete Pavement for Commercial Drives and Alleys (8")	120	SY		
9	Curb for Back of Walk	380	LF		
10	ADA Solutions, Armor Tile, or Approved Equal Wetset 2" X 4' Compsite Tactile Warning Surface Units	9	EA		
11	ADA Solutions, Armor Tile, or Approved Equal Surface Mount 2" X 4' Compsite Tactile Warning Surface Units	4	EA		
12	Bed Course Material	235	TON		
13	Topsoil	40	TON		
14	Hydroseed with Hydrostick or Equivalent Polymer for Erosion Control	200	SY		
15	Type"O" Compacted Aggregate for Base No. 53	10	TON		
16	Sediguard Inlet Protection Device or Approved Equal	5	EA		
17	Adjust Casting to Grade	8	EA		
18	Adjust Water Valve to Grade	4	EA		
19	Construction Sign Type "A" with Lights	8	EA		
20	Arrow Board	14	DAYS		
21	Mobilization and Demobilization	1	LS		
22	Maintance of Traffic	1	LS		
23	Line Removal, Crosswalk 6"	405	LF		
24	Line Removal, Stop Bar 24"	85	LF		
25	Pavement Marking, White, Paint, 24" Crosswalk (Piano Key)	500	LF		
26	Pavement Marking, White, Paint, 24" Stop Bar	85	LF		
27	Line removal 4" yellow center line	340	LF		
28	Pavement Marking, Yellow, Paint, 4" Broken, Centerline	240	LF		
29	Pavement Marking, Yellow, Paint, 4" Solid, Centerline	100	LF		
30	New Precast 30" Inlet with 2' X 2' Curb and Gutter Casting	3	EA		
31	12"RCP Class IV Pipe including Bedding and Special Backfill	5	LF		
32	New 24" Storm Manhole Casting	1	EA		

ESTIMATE OF QUANTITIES

RES. NO.: 12315
W.O. NO.: 12315

proj: South Anthony Blvd. Curbface Sidewalk Reconstruction

Bid Estimate: $99,612.50
estimated e&i: $24,903.13
Total estimate: $124,515.63

Date: 8/23/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Curb	670	SY	$7.00	$4,690.00
2	Removal of Concrete	1215	SY	$7.00	$8,505.00
3	Removal of Pavement	310	SY	$10.00	$3,100.00
4	Concrete Sidewalk (4")	15	SY	$25.00	$375.00
5	Concrete Curbface Sidewalk (6")	1110	SY	$32.00	$35,520.00
6	Concrete Wingwalk and Ramps	130	SY	$40.00	$5,200.00
7	Cement Concrete Pavement, Plain Recessed 2" for Asphalt Patching(includes asphalt patching)	92	SY	$40.00	$3,680.00
8	Cement Concrete Pavement for Commercial Drives and Alleys (8")	120	SY	$35.00	$4,200.00
9	Curb for Back of Walk	380	LF	$15.00	$5,700.00
10	ADA Solutions, Armor Tile, or Approved Equal Wetset 2" X 4' Compsite Tactile Warning Surface Units	9	EA	$200.00	$1,800.00
11	ADA Solutions, Armor Tile, or Approved Equal Surface Mount 2" X 4' Compsite Tactile Warning Surface Units	4	EA	$200.00	$800.00
12	Bed Course Material	235	TON	$10.00	$2,350.00
13	Topsoil	40	TON	$15.00	$600.00
14	Hydroseed with Hydrostick or Equivalent Polymer for Erosion Control	200	SY	$2.50	$500.00
15	Type"O" Compacted Aggregate for Base No. 53	10	TON	$20.00	$200.00
16	Sediguard Inlet Protection Device or Approved Equal	5	EA	$80.00	$400.00
17	Adjust Casting to Grade	8	EA	$100.00	$800.00
18	Adjust Water Valve to Grade	4	EA	$100.00	$400.00
19	Construction Sign Type "A" with Lights	8	EA	$80.00	$640.00
20	Arrow Board	14	DAYS	$80.00	$1,120.00
21	Mobilization and Demobilization	1	LS	$5,000.00	$5,000.00
22	Maintance of Traffic	1	LS	$4,000.00	$4,000.00
23	Line Removal, Crosswalk 6"	405	LF	$1.50	$607.50
24	Line Removal, Stop Bar 24"	85	LF	$5.00	$425.00
25	Pavement Marking, White, Paint, 24" Crosswalk (Piano Key)	500	LF	$5.00	$2,500.00
26	Pavement Marking, White, Paint, 24" Stop Bar	85	LF	$5.00	$425.00
27	Line removal 4" yellow center line	340	LF	$1.00	$340.00
28	Pavement Marking, Yellow, Paint, 4" Broken, Centerline	240	LF	$1.50	$360.00
29	Pavement Marking, Yellow, Paint, 4" Solid, Centerline	100	LF	$1.50	$150.00
30	New Precast 30" Inlet with 2' X 2' Curb and Gutter Casting	3	EA	$1,500.00	$4,500.00
31	12"RCP Class IV Pipe including Bedding and Special Backfill	5	LF	$45.00	$225.00
32	New 24" Storm Manholr Casting	1	EA	$500.00	$500.00

IMPROVEMENT RESOLUTION NO. STM12

STORM DAMAGE SIREWALK REPAIR
WORK ORDER NO. STM12

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Sidewalk damage due to the storm on June 29, 2012. This project shall include sidewalk, yard walk, stump removal, residential drives, backfilling and grading the park strip at the locations below.

1. 1335 Scott Ave.
2. 1303 Scott Ave.
3. 1130 Packard Ave.
4. 2818 Whitegate Dr.
5. 1135 Lake Ave.
6. 1137 Lake Ave.
7. 709 Union Ave.
8. 2702 Lynn Ave.
9. 4022 Lillie St.
10. 1818 Riedmiller Ave.
11. 1722 Kentucky Ave.
12. 1422 Wildwood Ave.
13. 1305 Sweeney Ave.
14. 625 Cherry St.
15. 1301 Park Ave.
16. 2421 Florida Dr.
17. 1738 Oakland St.
18. 3821 Wenonah Ln
19. 2203 Indian Village Blvd.
20. 2135 Brooklyn Ave.
21. 1412 Washington Blvd.
22. 3124 Harrison St.
23. 2907 Lafayette St.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 29th day of August, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: STORM DAMAGE

RES. NO.: STM12
W.O. NO.: STM12

TOTAL BID AMT: _____

required completion date: OCTOBER 21,2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	354	SY		
2	CONCRETE SIDEWALK 4"	341	SY		
3	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE 6"	5	SY		
4	REMOVAL OF CURB	45	LF		
5	TYPE III CURB	45	LF		
6	TYPE II-B CURB MODIFIED	27	LF		
7	BEDCOURSE MATERIAL	39	TON		
8	BACKFILL BEHIND CURB, COMPACTED (UNDISTRIBUTED QUANTITY)	238	TON		
9	TRUNK, STUMP, ROOT REMOVAL (UNDISTRIBUTED QUANTITY)	17	EA		
10	TOPSOIL	41	TON		
11	HYDRO-SEED	300	SY		
12	MAINTENANCE OF TRAFFIC	1	LS		
13	MOBILIZATION AND DEMOBILIZATION	1	LS		
14	WORK ALLOWANCE	1	LS	$3,000.00	

ESTIMATE OF QUANTITIES

RES. NO.: STM12
W.O. NO.: STM12

proj: STORM DAMAGE

Bid Estimate: $32,513.00
estimated e&i: $4,950.00
Total estimate: $37,463.00

Date: 8/23/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	REMOVAL OF CONCRETE	354	SY	$8.00	$2,832.00
2	CONCRETE SIDEWALK 4"	341	SY	$23.00	$7,843.00
3	CONCRETE PAVEMENT FOR RESIDENTIAL DRIVE 6"	5	SY	$30.00	$150.00
4	REMOVAL OF CURB	45	LF	$8.00	$360.00
5	TYPE III CURB	45	LF	$13.00	$585.00
6	TYPE II-B CURB MODIFIED	27	LF	$20.00	$540.00
7	BEDCOURSE MATERIAL	39	TON	$15.00	$585.00
8	BACKFILL BEHIND CURB, COMPACTED (UNDISTRIBUTED QUANTITY)	238	TON	$10.00	$2,380.00
9	TRUNK, STUMP, ROOT REMOVAL (UNDISTRIBUTED QUANTITY)	17	EA	$600.00	$10,200.00
10	TOPSOIL	41	TON	$18.00	$738.00
11	HYDRO-SEED	300	SY	$2.00	$600.00
12	MAINTENANCE OF TRAFFIC	1	LS	$1,200.00	$1,200.00
13	MOBILIZATION AND DEMOBILIZATION	1	LS	$1,500.00	$1,500.00
14	WORK ALLOWANCE	1	LS	$3,000.00	$3,000.00

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: August 24, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,302,564.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Northwest Pumps 4 & 5 project, the Bluffton Rd. – Lwr. Huntington Water Main Replacement project and the 3RFP UV Disinfection Improvement project.

Draw #89	Kurtz Excavating, Inc.	$ 105,206.00
Draw #90	CH2M Hill Engineers, Inc.	53,121.00
Draw #91	D L Z	10,400.00
Draw #92	HNTB – Great Lakes Division	1,672.00
Draw #93	Kokosing Construction Co.	1,132,165.00
	Total	**$1,302,564.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

August 29, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: August 23, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,490,236.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw 96 & 97	Weigand Construction Co. & Lake City Bank	$1,308,781.00
Draw 98	Insituform Technologies & Fifth Third Bank	56,788.00
Draw 99	American Structurepoint Inc.	18,063.00
Draw 100, 101 &102	CH2M Hill Engineers Inc.	59,094.00
Draw 103	Donohue & Associates	35,660.00
Draw 104	GAI Consultants	11,850.00
	Total Payments	**$1,490,236.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

August 29, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: August 21, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payment in the amount of **$20,331.00.** This payment will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. This expense is for the General CIPP 2011 Medium Diameter project.

Draw 420	Reynolds Inliner Inc.	**$20,331.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

Date: August 29, 2012

IMPROVEMENT RESOLUTION NO. 51082

BUCKFIELD COURT LIGHTING IMPROVEMENTS
WORK ORDER NO. 51082

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Street lighting on Buckfield Court from Liberty Mills Road to the cul-de-sac. Also service point improvements on Vance Avenue and Rose Ann Parkway in the 1st and 4th districts.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 5th day of September, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: BUCKFIELD COURT LIGHTING IMPREOVEMENTS

RES. NO.: 51082
W.O. NO.: 51082

TOTAL BID AMT: _____

required completion date: 11/30/2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	3C/6 THHWN in tray cable, in bore tube	258	LFT		
2	100W HPS T/C luminaire, 16' F.G. pole, and #12 wire as required	2	EACH		
3	3C/6 THHWN in poles	10	LFT		
4	REMC service point assembly, in place	2	EACH		
5	Mobilization / Demobilization	1	LSUM		
6	Fargo service point, in place	2	EACH		

ESTIMATE OF QUANTITIES

RES. NO.: 51082
W.O. NO.: 51082

proj: BUCKFIELD COURT LIGHTING IMPREOVEMENTS

Bid Estimate: $8,570.00
estimated e&i:
Total estimate: $8,570.00

Date: 8/29/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	3C/6 THHWN in tray cable, in bore tube	258	LFT	$10.00	$2,580.00
2	100W HPS T/C luminaire, 16' F.G. pole, and #12 wire as required	2	EACH	$625.00	$1,250.00
3	3C/6 THHWN in poles	10	LFT	$4.00	$40.00
4	REMC service point assembly, in place	2	EACH	$900.00	$1,800.00
5	Mobilization / Demobilization	1	LSUM	$500.00	$500.00
6	Fargo service point, in place	2	EACH	$1,200.00	$2,400.00

General Manhole Rehabilitation Pkg #2 2012
RESOLUTION 75791

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Manhole rehabilitation with full depth Epoxy Coating, chimney sealing/realignment, and casting replacement.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled,

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (2010 Revenue Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $ 138,070.00

Declares this project is being done in effort to comply with the City of Fort Wayne's Consent Decree issued by the EPA.

APPROVED THIS 5th DAY OF September, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: Mike Avila
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

Woodrow Vance Bioretention
RESOLUTION NO. 75794

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Declares a need for and authorizes regrading and improvement of five bioretention areas designed to help manage stormwater runoff from the Woodrow Drive and Vance Avenue area.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Woodrow Vance Bioretention.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Storm Utility.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares the engineer's estimate of the project's total cost is $25,000.00.

APPROVED THIS 5th DAY OF September, 2012.

Board of Public Works

BY: _____
Robert P. Kennedy, Chair

BY: Mike Avila
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

EMERGENCY RESOLUTION NUMBER #99-9-5-12-1
2422 STANFORD AVENUE

WHEREAS, an existing 10" combination sewer has collapsed, behind 2422 Stanford Ave. and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the combination sewer is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T&E Exc., Bercot and Bunn Exc. were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 5th day of September ,2012.

BOARD OF PUBLIC WORKS

By _____
Robert Kennedy, Chair

By _____
Kumar Menon, Member

By Mike Avila
Mike Avila, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

2422 STANFORD AVENUE
COMBINATION SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair bid shall meet the following conditions:

ITEM NO. 1

The Contractor shall repair a 10" combination sewer line plus or minus 12ft and two 6" taps.

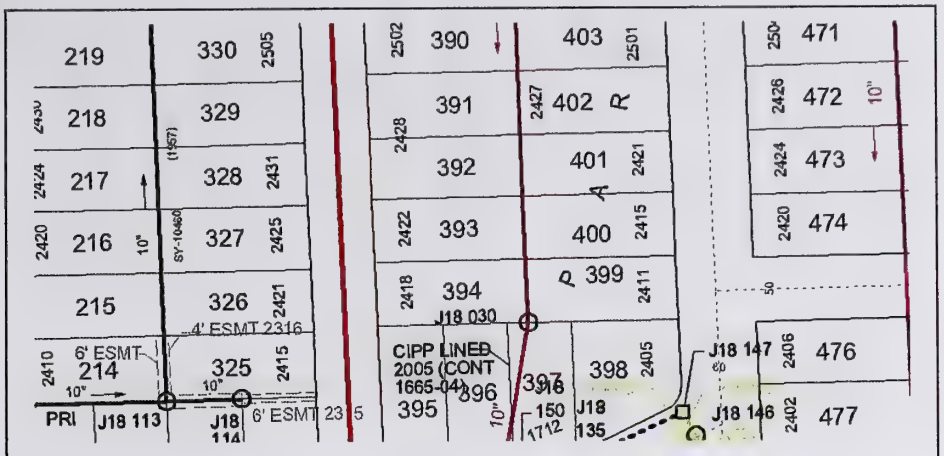
CONDITIONS OF WORK:

The Contractor that is awarded the emergency repairs shall be required to provide or comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual.
2. All Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and, in particular, open construction trench protection and confined space entry.
3. Contractor shall be required and be responsible for placing and maintaining temporary traffic barricades.
4. Contractor shall comply with all E.B.E. requirements through the City of Fort Wayne Compliance Office.
5. No soil borings are available, therefore Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction. Contractor shall have visited the site and familiarized himself/herself with all utilities, construction issues, conflicts and permanent structures prior to bidding this Work.
6. Contractor shall be responsible to temporarily protect or permanently replace or repair all existing utilities, if necessary, in the emergency repair site. Contractor shall protect any permanent structures on private property that may be affected during construction activities. If a permanent structure is damaged, Contractor shall repair or replace the damaged structure to equal of the appraised value or to the satisfaction of the private property owner. The Contractor would be responsible for obtaining any appraisals.
7. Contractor shall submit Monthly Report and Manpower Summary to the City Compliance Office, Room #420.
8. Contractor shall be required to obtain and adhere to any and all required permits, including a right of way cut permit and a street barricade permit, if necessary.
9. Contractor shall be responsible for the safety and security of the construction site, any stored materials, tools or equipment at the site, and any Work that has been performed.
10. The City of Fort Wayne shall be the sole judge as to the quality of the workmanship of the Contractor's Work.
11. This Work is "emergency" sewer repair Work, and thus, the Contractor shall understand that time is of the essence. Work shall be performed with this in mind.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary to perform his/her construction activities. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by

the property owners, and the Contractor shall restore them to their original or better condition, at no extra cost.



Stanford is the street to the left Cambridge to the right. Best access is from Stanford between 2422 and 2428 the collapse is under the back fence behind the garage belonging to 2422.

2422 STANFORD AVENUE
COMBINATION SEWER EMERGENCY REPAIR SPECIFICATIONS

BASE BID:
ITEM NO. 1 All costs will include all work to repair the 10" combination sewer and restore all access areas..

LUMP SUM **$**_____

The emergency repair Work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2012.

FROM_____
Contractor

BY_____
Signature

BY_____
Printed Name

TRANSPORTATION ENGINEERING SERVICES
STREET PROJECT MANAGEMENT

MEMORANDUM

DATE: September 7, 2012

TO: Board of Works

FROM: Mario Trevino
Director of Transportation Engineering Services

SUBJECT: On Call Arterial Concrete Sawing
Improvement Resolution # 12322
W.O. #12322

Attached is the original Improvement Resolution and copy of Estimate of Quantities pertaining to the subject improvement project.

This project is estimated to cost less than $20,000.

Bids will be received by the Transportation Engineering Services Department by 8:30 a.m. Friday, September 14, 2011

Transportation Engineering Department
200 E. Berry Street, Suite 210
Fort Wayne Indiana 46802

Fax: (260) 427-1356

Use the following contractors.

Key Concrete

Garcia Concrete

Hipskind Concrete

Rock Solid Concrete

Indiana Concrete Sawing

Kayser Concrete Sawing & Drilling

All Saw Concrete Sawing

Enclosures

kk/

IMPROVEMENT RESOLUTION NO. 12322

ON CALL ARTERIAL CONCRETE SAWING
WORK ORDER NO. 12322

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Various locations throughout districts 1 through 6 in the city of Fort Wayne by sawing through concrete arterial roadways. The sawing is to prep the roads for the city of Fort Wayne's Street Department to be able to remove the existing concrete and replace with asphalt expansion joints.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 12th day of September, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: ON CALL ARTERIAL CONCRETE SAWING

RES. NO.: 12322
W.O. NO.: 12322

TOTAL BID AMT: _____

required completion date: 10/15/2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date: 9/19/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Full Depth Concrete Sawing for Arterial Concrete Streets - See Special Conditions for details for this all inclusive bid item	1	LF		

ESTIMATE OF QUANTITIES

RES. NO.: 12322
W.O. NO.: 12322

proj: ON CALL ARTERIAL CONCRETE SAWING

Bid Estimate: $10.00
estimated e&i:
Total estimate: $10.00

Date: 9/5/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Full Depth Concrete Sawing for Arterial Concrete Streets - See Special Conditions for details for this all inclusive bid item	1	LF	$10.00	$10.00

Golfview Lift Station Improvements
RESOLUTION NO. 75486

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This project entails making alterations to the existing wet well which will allow to larger pumps to be placed into service.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Golfview Lift Station Improvements

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne 2010 Sewer Utility Revenue Bond.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $30,000.00.

APPROVED THIS 12th DAY OF September, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: _____
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria Edwards, Clerk

2011 CIPP PACKAGE - SOUTHWEST INTERCEPTOR
WO#75608

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the following:

> Rehabilitation of approximately 11123 LF of medium diameter (30-inch) sanitary sewer by means of a cured-in-place pipe method.

Said improvements, with all their appurtenances, shall be constructed in accordance with the drawings and specifications titled, **2011 CIPP Package – Southwest Interceptor**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Utilities 2012 SRF Sewer Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States that no additional costs will be associated with the purchase of any land associate with this project.

Declares the estimate of the project's total cost of **$1,948,075.50**

APPROVED THIS 12th **DAY OF** September**, 2012.**

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
Kumar Menon, Member

BY: Mike Avila
Mike Avila, Member

ATTEST: Victoria Edwards
Victoria G. Edwards, Clerk

Dupont Road Lift Station Improvements
RESOLUTION 75667

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Dupont Road Lift Station improvements to include a new valve vault.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Dupont Road Lift Station Improvements**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (2010 Revenue Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $ 58,900.00

Declares this project is being done in effort to comply with the City of Fort Wayne's Consent Decree issued by the EPA.

APPROVED THIS 12th DAY OF September, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: Mike Avila
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

IMPROVEMENT RESOLUTION NO. 12321

THIEME DRIVE WOOD GUARDRAIL INSTALLATION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Thieme Dr. from Washington Blvd. to Wayne St. by extending the existing wooden guardrail at Washington Blvd. 372 feet to the north.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 19th day of September, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards

Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: Thieme Dr. Guardrail

RES. NO.: 12321
W.O. NO.: 12321

TOTAL BID AMT: _____

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

required completion date: November 30, 2012

_____

Bid Date: 10/10/2012

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Treated Yellow Pine Guard Rail(In Place, 4" X 10"X12' Rail,8" X 8" X 6' Posts , 6' on Center)	372	LF		
2	Remove and Relocate Burried End Section	1	LS		

ESTIMATE OF QUANTITIES

RES. NO.: 12321
W.O. NO.: 12321

proj: Thieme Dr. Guardrail

Bid Estimate:	$24,930.00
estimated e&i:	$6,232.50
Total estimate:	$31,162.50

Date: 9/10/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Treated Yellow Pine Guard Rail(In Place, 4" X 10"X12' Rail,8" X 8" X 6' Posts, 6' on Center)	372	LF	$65.00	$24,180.00
2	Remove and Relocate Burried End Section	1	LS	$750.00	$750.00

Covington and Windpump Road Repair
RESOLUTION NO. 83331

RESOLUTION BY THE BOARD OF STORMWATER MANAGEMENT of the City of Fort Wayne, Indiana that:

Orders the repair of a collapsed 24" corrugated metal culvert underneath Covington Road.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Covington and Windpump Road Repair.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Storm Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares the engineer's estimate of the project's total cost is $25,000.00.

APPROVED THIS 19th DAY OF September, 2012.

Board of Stormwater Management

BY: _____
Robert P. Kennedy, Chair

BY: _____
Matthew A. Wirtz, Member

BY: _____
Mike Avila, Member

ATTEST: _____
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: September 13, 2012

RE: 2012 Sewer State Revolving Fund Loan Disbursements

Please include the following **2012 Sewer SRF disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$62,600.00.** These payments will be made with the 2012 Sewage Works State Revolving Fund Loan Program. These expenses are for issuance costs.

Draw 1	H J Umbaugh & Associates	$42,000.00
Draw 2	Ice Miller LLP	20,600.00
	Total Payments	**$62,600.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

September 19, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: September 11, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$61,926.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Northwest Pressure Zone Pump Station Improvement project, the Bluffton Rd. – Lwr. Huntington Water Main Replacement project and the 3RFP UV Disinfection Improvement project.

Draw #94	Mason Engineering & Construction	$27,210.00
Draw #95	D L Z	20,058.00
Draw #96	Fort Wayne Municipal Waterworks	3,218.00
Draw #97	D L Z	11,440.00
	Total	**$61,926.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

September 19, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: September 12, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,129,897.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the Digester Electrical Building project, the CSSCIP Planning & Design project, the Snider High School/Ft. Wayne Green Infrastructure project, the WPCP Digester #5 Upgrade project and the Pontiac Sewer Separation project.

Draw 421	Miller Contracting Group Inc.	$ 37,264.00
Draw 422, 427, 429, 430 & 436	CH2M Hill Inc.	57,062.00
Draw 423	RW Armstrong & Assoc.	10,764.00
Draw 424	URS Corporation	2,149.00
Draw 425	GAI Consultants	6,293.00
Draw 426 & 428	Donohue & Assoc.	1,438.00
Draw 431	Arcadis/Malcolm Pirnie	9,930.00
Draw 432 & 434	Hagerman Inc. & Star Financial Bank	946,164.00
Draw 433	City Utilities – Ft. Wayne Municipal Sewage Works	520.00
Draw 435	Robert E. Crosby Inc.	58,313.00
	Total Payments	**$1,129,897.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

Date: September 19, 2012

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: September 25, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,680,561.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the 2011 CIPP Pkg. #2 Small Diameter project.

Draw 105 & 106	Weigand Construction Co. & Lake City Bank	$1,606,019.00
Draw 107	Engineering Technologies Inc.	520.00
Draw 108	Fleis & Vandenbrink Engineering Inc.	2,177.00
Draw 109	GAI Consultants	35,663.00
Draw 110	Donohue & Associates	35,969.00
Draw 111	City of Ft. Wayne – Municipal Sewage Works	213.00
	Total Payments	**$1,680,561.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila

Mike Avila, Member

October 3, 2012

Date

Reed Road. – Tamarack Add. Storm Drainage Improvements
RESOLUTION NO. 83236

RESOLUTION BY THE BOARD OF STORMWATER MANAGEMENT of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 1600 LF of 12" – 30" Storm sewer pipes, 150 LF of Ditch re-grading, and all appurtenant structures associated with the storm drainage improvements in the vicinity of Reed Road – Tamarack Add.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled: Reed Road. – Tamarack Add. Storm Drainage Improvements.

Declares the cost of the said improvements shall be paid by the Fort Wayne Storm Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $275,000.00.

APPROVED THIS 16th DAY OF October, 2012.

Board of Stormwater Management

BY: _____
Robert P. Kennedy, Chair

BY: _____
Mike Avila, Member

BY: _____
Matthew A. Wirtz, Member

ATTEST: _____
Victoria Edwards, Clerk

IMPROVEMENT RESOLUTION NO. 51083

Fairfield Avenue Street Lighting Improvements
WORK ORDER NO. 51083

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **Ornamental LED light fixtures and ornamental poles with buried wire on Fairfield Avenue between Rudisill Boulevard and Rose Lane.**

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 17th day of October, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: Fairfield Avenue Lighting Improvements

RES. NO.: 51083
W.O. NO.: 51083

TOTAL BID AMT: _____

required completion date: 4/30/2013

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date: 11/7/2012

Contractors Signature _____

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Place FTW STD F.G. pole and #12 wire as required	48	EACH		
2	Place 24" X 60" concrete base	40	EACH		
3	Place 6ARC LED acorn luminaire	40	EACH		
4	3C/6 THHWN wire. Individual conductors or in tray cable.	5000	LFT		
5	1.5" or 2" bore tube or non-metallic conduit	5000	LFT		
6	3C/6 THHWN in poles	400	LFT		
7	3C/6 THHWN in riser assembly	160	EACH		
8	Riser assembly, 2 inch	2	EACH		
9	Riser assembly, 3 inch	2	EACH		
10	Mast arm, remove	12	EACH		
11	Cobra, remove	17	EACH		
12	Span, remove	10	EACH		
13	Pole, wood or aluminum, remove	11	EACH		
14	Cobra, LED, on existing pole	4	EACH		
15	Service units, LED 6ARC	3	EACH		
16	Place 4ARC LED acorn luminaire	8	EACH		
17	Core drill and replace or remove and replace concrete	2	EACH		
18	Tree trimming	1	LSUM		
19	Fiberglass pole and acorn luminaire, remove	8	EACH		

ESTIMATE OF QUANTITIES

RES. NO.: 51083
W.O. NO.: 51083

proj: Fairfield Avenue Lighting Improvements

Bid Estimate: $231,516.00
estimated e&i:
Total estimate: $231,516.00

Date: 10/11/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Place FTW STD F.G. pole and #12 wire as required	48	EACH	$1,275.00	$61,200.00
2	Place 24" X 60" concrete base	40	EACH	$800.00	$32,000.00
3	Place 6ARC LED acorn luminaire	40	EACH	$1,450.00	$58,000.00
4	3C/6 THHWN wire. Individual conductors or in tray cable.	5000	LFT	$4.50	$22,500.00
5	1.5" or 2" bore tube or non-metallic conduit	5000	LFT	$4.50	$22,500.00
6	3C/6 THHWN in poles	400	LFT	$4.50	$1,800.00
7	3C/6 THHWN in riser assembly	160	EACH	$4.00	$640.00
8	Riser assembly, 2 inch	2	EACH	$450.00	$900.00
9	Riser assembly, 3 inch	2	EACH	$550.00	$1,100.00
10	Mast arm, remove	12	EACH	$125.00	$1,500.00
11	Cobra, remove	17	EACH	$125.00	$2,125.00
12	Span, remove	10	EACH	$50.00	$500.00
13	Pole, wood or aluminum, remove	11	EACH	$300.00	$3,300.00
14	Cobra, LED, on existing pole	4	EACH	$1,250.00	$5,000.00
15	Service units, LED 6ARC	3	EACH	$1,300.00	$3,900.00
16	Place 4ARC LED acorn luminaire	8	EACH	$1,350.00	$10,800.00
17	Core drill and replace or remove and replace concrete	2	EACH	$300.00	$600.00
18	Tree trimming	1	LSUM	$751.00	$751.00
19	Fiberglass pole and acorn luminaire, remove	8	EACH	$300.00	$2,400.00

2012 CIPP PKG#3 – SMALL DIAMETER
WO#75809

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the following:

> Rehabilitation of approximately 26,546 LF of small diameter (8-inch to 20-inch) sanitary and combined sewer by means of a cured-in-place pipe method.

Said improvements, with all their appurtenances, shall be constructed in accordance with the drawings and specifications titled, **2012 CIPP Pkg. #3 – Small Diameter**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Utilities 2011 Sewer Revenue Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States that no additional costs will be associated with the purchase of any land associate with this project.

Declares the estimate of the project's total cost of **$1,155,186.00**

APPROVED THIS 17th **DAY OF** October**, 2012.**

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
Kumar Menon, Member

BY: _____
Mike Avila, Member

ATTEST: _____
Victoria G. Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: October 11, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,269,820.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Northwest Pressure Zone Pump Station Improvement project, the Northwest Pumps 4 & 5 Improvement project, the Bluffton Rd. – Lwr. Huntington Water Main Replacement project, the Riverside, Hannas, Paramount Addition Water Main replacement project and the 3RFP UV Disinfection Improvement project.

Draw #98	Kokosing Construction Co.	$ 899,017.00
Draw #99	Kurtz Excavating Inc.	54,017.00
Draw #100	HNTB Corp.	4,080.00
Draw #101	CH2M Hill Engineers Inc.	42,678.00
Draw #102	Mason Engineering & Construction	222,743.00
Draw #103	D L Z	24,800.00
Draw #104 - #112	Fort Wayne Municipal Waterworks	22,485.00
	Total	**$1,269,820.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

October 17, 2012
Date

IMPROVEMENT RESOLUTION NO. 12323

HOBSON ROAD AND TIMBERHILL DRIVE CROSSWALK
WORK ORDER NO. 12323

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Intersection of Hobson Road and Timberhill Drive by installing curb ramps, crosswalks, sidewalks and bus stop landing areas.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 24th day of October, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mike Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: Hobson Rd and Timberhill Dr. Crosswalk

RES. NO.: 12323
W.O. NO.: 12323

TOTAL BID AMT: _____

required completion date: November 30th, 2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

Bid Date:

Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete	19.25	SY		
2	Removal of Curbs - Includes all Curb Types	27	LF		
3	Concrete Curb Type II-A	5	LF		
4	Concrete Sidewalk (4")	54	SY		
5	Concrete Wingwalk and Curb Ramps	21	SY		
6	ADA Solutions Armor Tile, or Approved Equal "Replaceable" 2'x4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	2	EA		
7	Bed Coarse Material	18	TON		
8	Excavation, Common	13	CY		
9	Linear Grading	1	LS		
10	Top Soil	12	TON		
11	Hydroseed with Hydrostik or Equivalent Polymer for Erosion Control	115	SY		
12	Adjust Casting To Grade	1	EA		
13	Work Allowance	1	As Needed	$2,000.00	
14	Mobilization and Demobilization	1	LS		
15	Maintenance of Traffic	1	LS		
16	Arrow Board	10	DAY		

ESTIMATE OF QUANTITIES

RES. NO.: 12323
W.O. NO.: 12323

proj: Hobson Rd and Timberhill Dr. Crosswalk

Bid Estimate:	$11,643.88
estimated e&i:	$3,000.00
Total estimate:	$14,643.88

Date: 10/12/2012

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT PRICE ($)	AMOUNT ($)
1	Removal of Concrete	19.25	SY	$6.50	$125.13
2	Removal of Curbs - Includes all Curb Types	27	LF	$7.00	$189.00
3	Concrete Curb Type II-A	5	LF	$12.00	$60.00
4	Concrete Sidewalk (4")	54	SY	$38.00	$2,052.00
5	Concrete Wingwalk and Curb Ramps	21	SY	$45.00	$945.00
6	ADA Solutions Armor Tile, or Approved Equal "Replaceable" 2'x4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	2	EA	$250.00	$500.00
7	Bed Coarse Material	18	TON	$14.00	$252.00
8	Excavation, Common	13	CY	$14.00	$182.00
9	Linear Grading	1	LS	$500.00	$500.00
10	Top Soil	12	TON	$15.00	$180.00
11	Hydroseed with Hydrostik or Equivalent Polymer for Erosion Control	115	SY	$2.25	$258.75
12	Adjust Casting To Grade	1	EA	$250.00	$250.00
13	Work Allowance	1	As Needed	$2,000.00	$2,000.00
14	Mobilization and Demobilization	1	LS	$2,000.00	$2,000.00
15	Maintenance of Traffic	1	LS	$1,500.00	$1,500.00
16	Arrow Board	10	DAY	$65.00	$650.00

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: October 16, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$620,068.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the Digester Electrical Building project, the CSSCIP Planning & Design project, the WPCP Digester #5 Upgrade project and the Pontiac Sewer Separation project.

Draw 437	Robert E. Crosby Inc.	$ 110,051.00
Draw 438	Hagerman Inc. & Star Financial Bank	442,700.00
Draw 439, 440, 441 & 442	CH2M Hill Engineers Inc.	38,904.00
Draw 443 & 444	GAI Consultants	15,140.00
Draw 445	Donohue & Assoc.	4,581.00
Draw 446	Arcadis/Malcolm Pirnie	8,692.00
	Total Payments	**$ 620,068.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

Date: October 24, 2012

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: October 12, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,523,141.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement and the CSPS Substation Improvement.

Draw 112 & 113	Weigand Construction Co. & Lake City Bank	$1,340,182.00
Draw 114	Mason Engineering & Construction	6,063.00
Draw 115, 116 & 117	CH2M Hill Engineers Inc.	68,830.00
Draw 118	American Structurepoint Inc.	18,654.00
Draw 119	Virginia Transformer Corp.	89,412.00
	Total Payments	**$1,523,141.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

October 24, 2012
Date

PARTIAL RELEASE OF
SANITARY SEWER AND STORMWATER DRAINAGE EASEMENT
Northeast Corner of Broadway and Taylor Street, Fort Wayne

Cross Reference to Documents 203030859, 205011604, 2012012135, 2012024493

City of Fort Wayne Board of Public Works Resolution 99-10-31-12-1
Quarter Section Map L02

THIS PARTIAL RELEASE OF SANITARY SEWER AND STORMWATER DRAINAGE EASEMENT ("Release") is executed this 31st day of October, 2012, by the City of Fort Wayne Board of Public Works ("City"), to wit:

RECITALS

A. The City of Fort Wayne obtained an easement pursuant to a Sanitary Sewer and Stormwater Drainage Easement Agreement, recorded at Document 2012012135 in the office of the Recorder of Allen County, Indiana ("Easement"), for the purpose of constructing, operating and maintaining public sanitary and stormwater sewers and related appurtenances, over, under and across certain real estate located in the City of Fort Wayne, Allen County, Indiana, a part of which Real Estate is owned by Three Brothers, LLC, and recorded at Document 2012024493, and a part of which is owned by Carl Straley and Carl L. Straley and recorded at Documents 203030859 and 205011604 in the office of the Recorder of Allen County, Indiana.

B. The location and dimensions of the Easement were predicated in part on the proposed relocation of part of an existing public sewer; however, subsequent changes to the relocation plans required dedication of a new sanitary sewer and stormwater drainage easement and vacation of that part of the Easement that was no longer required.

C. The new sanitary sewer and stormwater drainage easement has been dedicated to the City, and that part of the Easement no longer required by the City may be vacated.

RELEASE

1. City hereby vacates and releases: unto Three Brothers, LLC, as owner of the property described at Document 2012024493, all right, title and interest in and to that part of the easement described and shown as Vacation Area #1 on the attached Exhibit A; and unto Carl Straley and Carl L. Straley as owners of the property described at Documents 203030859 and 205011604, all right, title and interest in and to that part of the easement described and shown as Vacation Area #2, on the

attached Exhibit A, which easements the City of Fort Wayne obtained through a Sanitary Sewer and Stormwater Drainage Easement Agreement recorded at Document 2012012135.

2. The City of Fort Wayne retains all other rights conveyed to it pursuant to said Sanitary Sewer and Stormwater Drainage Easement Agreement which are not specifically released herein, and all other terms and conditions of said Sanitary Sewer and Stormwater Drainage Easement Agreement which are not amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Fort Wayne Board of Public Works has executed this Release as of the date set forth above.

By: _____
Robert P. Kennedy, Chair

By: _____
Kumar Menon, Member

By: _____
Mike Avila, Member

ATTEST: Victoria Edwards
Victoria G. Edwards, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

BEFORE ME, a Notary Public in and for said State and County, personally appeared the within named City of Fort Wayne Board of Public Works, "City" herein, by Robert P. Kennedy, Kumar Menon and Mike Avila as Members of the Board of Public Works, and Victoria G. Edwards, Clerk of the Board, and acknowledged the execution of the foregoing Release as their voluntary act and deed.

WITNESS my hand and seal this 31st day of October, 2012.

My Commission Expires: _____

Resident of _____ County

Michelle Nelson
Signature of Notary Public

Michelle Nelson
Printed Name

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Craig Berndt, City Utilities, Development Services.

This instrument prepared by Craig Berndt, City Utilities, Development Services.

EXHIBIT A-1

LEGAL DESCRIPTION

PARTIAL RELEASE OF SANITARY SEWER AND STORMWATER DRAINAGE EASEMENT

Vacation Area #1 (Three Brothers, LLC)

A partial vacation of Easement 2 as recorded in document 2012012135, being part of the Lands conveyed to Three Brothers, LLC in Document 2012024493, being portions of Lot Numbered 1 in J. H. Feichter's Fourth Addition as recorded in Plat Record 9, page 14, portions of Lots Numbered 3 & 5 in Nuttman Place Addition to the City of Fort Wayne as recorded in Plat Book 3, page 83, and portions of the 14-foot wide vacated Alley per General Ordinance No. G-02-08 and recorded in Document 2008020351, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Commencing at a 3/8-inch rebar monumenting the northerly corner of Lot Numbered 5 in said Nuttman Place Addition, thence South 54 degrees 48 minutes 58 seconds East on the northeasterly line of said Lot Numbered 5 and the southeasterly extension thereof, a distance of 146.79 feet to the TRUE POINT OF BEGINNING for the easement herein described; thence continuing South 54 degrees 48 minutes 58 seconds East a distance of 13.70 feet, to the Northeast corner of the Lands conveyed in Document 2012024493; thence South 16 degrees 46 minutes 37 seconds West, on the East line of said Lands, a distance of 103.07 feet, to a point on the North right-of-way line of Taylor Street; thence North 90 degrees 00 minutes 00 seconds West (assumed bearing and the basis for all bearings in this description) on the North right-of-way line of Taylor street a distance of 47.39 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 20.00 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 39.85 feet; thence North 16 degrees 46 minutes 37 seconds East a distance of 90.43 feet, to the point of beginning and containing 0.049 acres, more or less, and more particularly as shown on the attached Exhibit A-2.

Vacation Area #2 (Straley)

A partial vacation of Easement 2 as recorded in document #2012012135, being part of the lands conveyed to Carl Straley and Carl L. Straley as recorded in Documents 203030859 and 205011604, being a portion of Lot Numbered 1 in J. H. Feichter's Fourth Addition as recorded in Plat Record 9, page 14, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows:

Commencing at a 3/8-inch rebar monumenting the northerly corner of Lot Numbered 5 in said Nuttman Place Addition, thence South 54 degrees 48 minutes 58 seconds East on the northeasterly line of said Lot Numbered 5 and the southeasterly extension thereof, a distance of 160.49 feet; thence South 16 degrees 46 minutes 37 seconds West, on the East line of the Lands Conveyed to Three Brothers, LLC in Document 2012024493, a distance of 22.22 feet, to a point on the Easterly line of the 14-foot wide vacated Alley per General Ordinance No. G-02-08 and recorded in Document 2008020351, said point being the TRUE POINT OF BEGINNING for the easement herein described; thence continuing South 16 degrees 46 minutes 37 seconds West a distance of 80.85 feet, to a point on the North right-of-way line of Taylor Street; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing and the basis for all bearings in this description), a distance of 7.31 feet; thence North 16 degrees 46 minutes 37 seconds East a distance of 98.63 feet; thence North 54 degrees 48 minutes 58 seconds West a distance of 0.33 feet, to a point on the easterly line of the aforesaid vacated alley; thence South 35 degrees 15 minutes 55 seconds West a distance of 21.09 feet, to the point of beginning, and containing 0.015 acres, more or less, and more particularly as shown on the attached Exhibit A-2.

EXHIBIT A-2

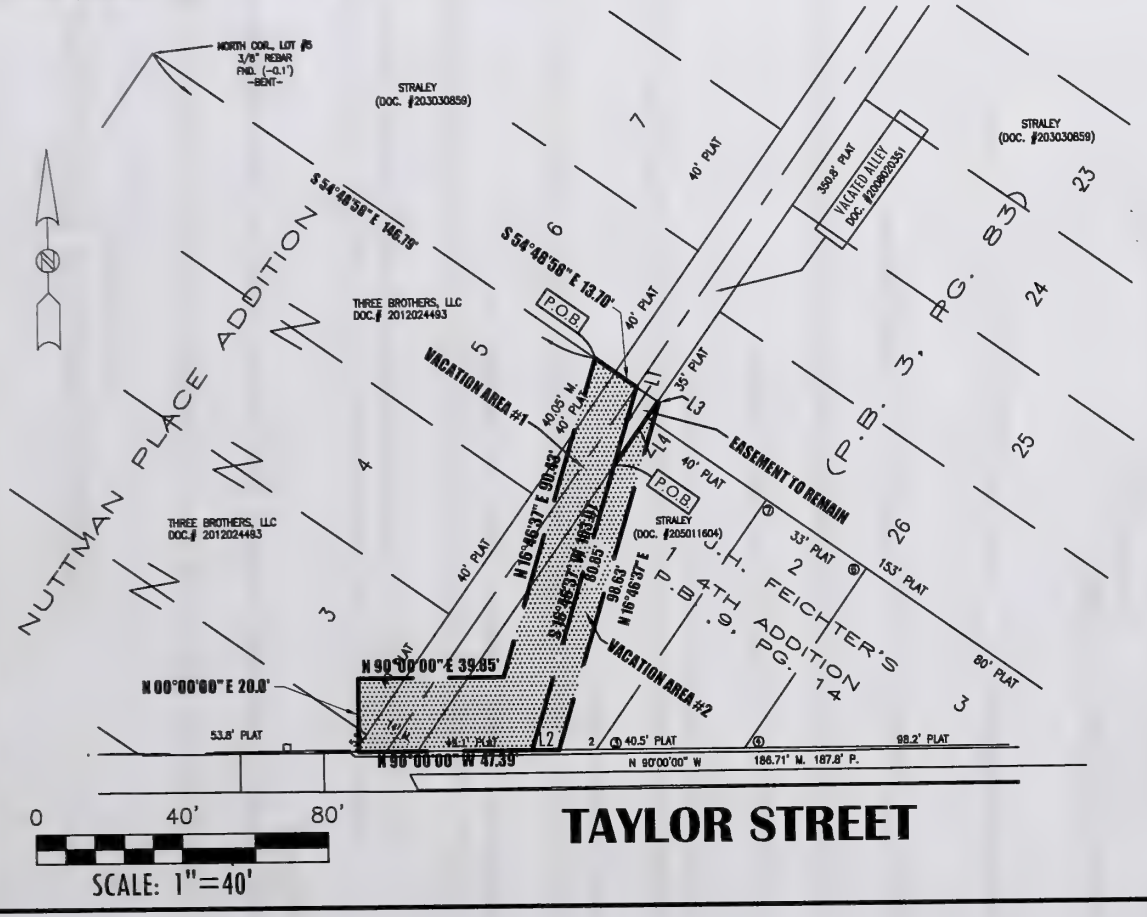
ANDERSON SURVEYING, INC.

Registered Professional Engineers and Land Surveyors
Indiana Land Surveying Firm Identification Number: 29A

1324 Henry Avenue
Fort Wayne, IN 46808
Phone: (260) 483-1724
Fax: (260) 482-6855
Toll Free: (888) 483-1724

1947 E. Schug Road
Columbia City, IN 46725
Phone: (260) 691-3425
Fax: (260) 482-6855

EASEMENT VACATION EXHIBIT



LINE	BEARING	DISTANCE
L1	S 16°46'37" W	22.22'
L2	N 90°00'00" E	7.31'
L3	N 54°48'58" W	0.33'
L4	S 35°15'55" W	21.09'

JOB DESCRIPTION:

3 BROTHERS PROPOSED
SEWER EASEMENT VACATION

PT. NUTTMAN PLACE ADDITION &
J.H. FEICHTER'S 4th ADDITION
FORT WAYNE, ALLEN CO., IN

DATE: OCTOBER 10, 2012

MICHEAL C. VODDE
REGISTERED
LS 20100011
STATE OF INDIANA
LAND SURVEYOR

Michael C. Vodde

DESCRIPTION NUMBER: 05-06-2055EWER VACATION

GENERAL OPEN-CUT SEWERS 2012
WO#75715

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the following:

> *Approx. 580 LF of sewer excavation/replacement and 3 manhole replacements by means of open-cut excavation to the City as described by project drawings and specifications.*

Said improvements, with all their appurtenances, shall be constructed in accordance with the drawings and specifications titled, **General Open-Cut Sewers 2012.**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Utilities 2011 Sewer Revenue Bond.

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States that no additional costs will be associated with the purchase of any land associate with this project.

Declares the estimate of the project's total cost of **$438,000.00**

APPROVED THIS 31st **DAY OF** October **, 2012.**

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: _____
Kumar Menon, Member

BY: Mike Avila
Mike Avila, Member

ATTEST: Victoria G. Edwards
Victoria G. Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: October 22, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$77,133.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement and the First Flush Bleedback Improvement.

Draw 120, 121 & 122	CH2M Hill Engineers Inc.	$61,790.00
Draw 123	GAI Consultants	15,343.00
	Total Payments	**$77,133.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila

Mike Avila, Member

October 31, 2012

Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: October 12, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$38,107.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the Digester Electrical Building project and the WPCP Digester #5 Upgrade project.

Draw 447	Donohue & Assoc.	$10,130.00
Draw 448	GAI Consultants	18,550.00
Draw 449 & 450	CH2M Hill Engineers Inc.	9,427.00
	Total Payments	**$38,107.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

Date: October 31, 2012

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: November 2, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$106,878.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement, the Headworks Biotrickling Filter Improvement, the First Flush Bleedback Improvement, 2011 CIPP Pkg. 2 Small Diameter Improvement and the CSPS Substation Improvement.

Draw 124	Symbiont Engineers	$ 2,630.00
Draw 125, 130 - 132	City Utilities – Fort Wayne Municipal Sewage Works	33,669.00
Draw 126	Mason Engineering & Construction	10,451.00
Draw 127	Donohue & Assoc.	39,575.00
Draw 128	American Structurepoint Inc.	14,303.00
Draw 129	Fleis & Vandenbrink Inc.	6,250.00
Total Payments		**$106,878.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila

Mike Avila, Member

November 7, 2012

Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: November 1, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,623,173.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Northwest Pressure Zone Pump Station Improvement project, the Bluffton Rd. – Lwr. Huntington Water Main Replacement project, the 3RFP North-South Reservoir DI Piping Procurement and the 3RFP UV Disinfection Improvement project.

Draw #113	CH2M Hill Engineers Inc.	$ 33,081.00
Draw #114	D L Z	10,270.00
Draw #115	HD Supply Waterworks, Ltd.	21,361.00
Draw #116	Kokosing Construction Co.	1,555,612.00
Draw #117 & #118	Fort Wayne Municipal Waterworks	2,849.00
	Total	**$1,623,173.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila

Mike Avila, Member

November 7, 2012

Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: November 1, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$83,583.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project and the Design Management Engineering Assistance project.

Draw 451	Donohue & Assoc.	$ 760.00
Draw 452	GAI Consultants	1,619.00
Draw 453	CH2M Hill Engineers Inc.	725.00
Draw 454	URS Corp.	2,429.00
Draw 455	Robert E. Crosby Inc.	77,520.00
Draw 456	City Utilities-Ft. Wayne Municipal Waterworks	530.00
	Total Payments	**$ 83,583.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila

Mike Avila, Member

Date: November 7, 2012

IMPROVEMENT RESOLUTION NO. 3792N

1100 Cook Road Drianage Improvements
WORK ORDER NO. 3792N

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Storm pipe & yard drain installation – excavation, trail removal and repair, walk and restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 28th day of November, 2012.

BOARD OF PUBLIC WORKS

Robert Kennedy, Chairman

Mke Avila, Member

Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

BID

CONTRACTOR:

proj: **1100 East Cook Rd drainage improvement**

RES. NO.: 3792N
W.O. NO.: 3792N

TOTAL BID AMT: _____

required completion date: 12/21/2012

Note: Contractor will be paid on measured quantities only at unit price bid. Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete	73	SY		
2	Concrete Sidewalk	73	SY		
3	Pipe, 6" Schedule 40, (including grate, elbow,riser,sawing & asphalt patch ect.) provide positive drainage	30	LF		
4	Bed course Material (# 8 stone)	20	TON		
5	Topsoil	12	TON		
6	Mulched Seeding	56	SY		
7	Construction Signs, Type A	2	EA		
8	Maintenance of Traffic	1	LS		
9	Mobilization / Demobilization	1	LS		
10	Work Allowance	1	LS		

TRANSPORTATION ENGINEERING SERVICES
STREET PROJECT MANAGEMENT

MEMORANDUM

DATE: November 20, 2012

TO: Board of Public Works

FROM: Mario Trevino
Director of Transportation Engineering Services

SUBJECT: 1100 East Cook Road Drainage Improvement
Improvement Resolution # 3792N
W.O. #3792N

Enclosed is the Improvement Resolution pertaining to above mentioned subject.

This project is estimated to cost less than $10,000.

Bid Documents and Drawings may be picked up at **No Charge** at Transportation Engineering Department.

Bids will be received by the Transportation Engineering Services Department by 8:30 a.m. Friday, November 30, 2012

Transportation Engineering Department
200 E. Berry Street, Suite 210
Fort Wayne Indiana 46802

Fax: (260) 427-1356

Use the following contractors.

Key Concrete

Garcia Concrete

Hipskind Concrete

Enclosures

kk/

CONVEYANCE OF A PORTION CITY LIGHT REAL ESTATE FOR STORMWATER SUBSTATION
RESOLUTION NO. 99-11-14-12-1

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The City of Fort Wayne CONVEYS AND SPECIALLY WARRANTS to Indiana Michigan Power for the sum of Ten Dollars ($10.00) for a portion of Stormwater Station property and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, certain portion of real estate located in Allen County, Indiana as more specifically described on Exhibit A of the attached document and hereto and incorporated herein and commonly referred to as real estate located in Allen County, Indiana, subject to (i) all easement, covenants, conditions, encumbrances, liens and restrictions of record; (ii) non-delinquent real estate taxes due and payable in November, 2010, and all subsequent real estate taxes; (iii) all applicable zoning, land use and other rules, regulations and ordinances; (iv) any set of facts which would be disclosed by an accurate survey or inspection; and (v) the matters set forth on Exhibit B attached hereto and incorporated herein for the Stormwater Station site.

APPROVED THIS 28th DAY OF November, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chairman

BY: Mike Avila
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

SPECIAL LIMITED WARRANTY DEED
(Allen County)
Stormwater Station Site

THIS INDENTURE WITNESSETH, that the **City of Fort Wayne, Indiana**, a city within the State of Indiana with an address of 200 E. Berry Street, Fort Wayne, Indiana 46802 ("Grantor"), CONVEYS AND SPECIALLY WARRANTS to **Indiana Michigan Power Company**, an Indiana corporation with an address of 1 Riverside Plaza, Columbus, OH 43215("Grantee"), for the sum of Ten Dollars ($10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, certain real estate located in Allen County, Indiana, as more specifically described on Exhibit A attached hereto and incorporated herein and commonly referred to as the Stormwater Station Site (the "Real Estate"), together with an easement for ingress and egress thereto as described in Exhibit A, together also with an easement for a grounding grid as described in Exhibit A, subject to (i) all easements, covenants, conditions, encumbrances, liens and restrictions of record; (ii) non-delinquent real estate taxes due and payable in November, 2010, and all subsequent real estate taxes; (iii) all applicable zoning, land use and other rules, regulations and ordinances; (iv) any set of facts which would be disclosed by an accurate survey or inspection; and (v) the matters set forth on Exhibit B attached hereto and incorporated herein.

Grantor makes no representations or warranties with respect to the accuracy of the Real Estate legal description attached as Exhibit A, which legal description has been provided by Grantee.

The warranty of title by Grantor is limited to a warranty against the acts of Grantor and those claiming by, through or under Grantor, and not otherwise.

To Grantor's actual knowledge (without investigation), the Real Estate is free of liens and encumbrances other than: (i) those referenced on Exhibit B attached hereto, (ii) those obligations which may arise from Grantor's general statutory bonding authority and associated obligations; and (iii) those which might otherwise arise by operation of law.

THE REAL ESTATE SHALL BE CONVEYED IN ITS AS IS, WHERE IS CONDITION WITH ALL FAULTS AS OF THE DATE OF CONVEYANCE.

The undersigned person executing this Special Limited Warranty Deed on behalf of Grantor is duly authorized to do so, and Grantor has full right and authority to convey the real estate described herein.

IN WITNESS WHEREOF, the undersigned executes this Special Limited Warranty Deed on behalf of Grantor this 28 day of November, 2012.

The City of Fort Wayne, Indiana

By: Daniel A. Brenner
Printed Name: Daniel A. Brenner
Title: Property Manager

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared Daniel Brenner, the Property Manager of the City of Fort Wayne, who, being first duly sworn, acknowledged execution of the above and foregoing "Special Limited Warranty Deed" for and on behalf of said city within the state of Indiana.

WITNESS my hand and Notarial Seal this 28th day of November, 2012.

Michelle R. Nelson
Notary Public

Michelle R. Nelson
Printed

My Commission Expires: October 20, 2014

My County of Residence: Allen

After recording return to:
Real Estate Asset Management
1 Riverside Plaza, 10th Floor
Columbus, Ohio 43215

Send tax statements to:
Tax Department
1 Riverside Plaza, 27th Floor
Columbus, Ohio 43215

This instrument was prepared by Kenneth E. McDonough, Assistant General Counsel, American Electric Power Service Corporation, 1 Riverside Plaza, Columbus, Ohio 43215, for and on behalf of Indiana Michigan Power Company, a unit of American Electric Power. 614-716-1696.

I hereby certify under the penalties for perjury that I have exercised reasonable care to redact all social security numbers from this document unless required by law.
Kenneth E. McDonough

EXHIBIT A
REAL ESTATE
Stormwater Station Site

Part of the lands conveyed to the City of Fort Wayne in Document #70-8037, being located in the Fractional Northwest Quarter, of Section 6, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the North Quarter corner of Section 6, Township 30 North, Range 13 East, Allen County, Indiana, as defined by record witnesses; thence South 11 degrees 51 minutes 04 Seconds West (bearings in this description based on the Indiana East State Plane Coordinate System), a distance of 1883.98 feet, to a 5/8" rebar with an orange identification cap stamped "ANDERSON FIRM #29A", monumenting the point of beginning for the parcel herein described; thence South 86 degrees 31 minutes 18 seconds East a distance of 94.95 feet to a 5/8" rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence South 03 degrees 16 minutes 48 seconds West a distance of 136.04 feet to a 5/8" rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence North 86 degrees 33 minutes 11 seconds West a distance of 95.24 feet to a 5/8" rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence North 03 degrees 24 minutes 09 seconds East a distance of 136.09 feet to the point of beginning. Containing 0.297 acres, more or less, subject to all legal drains, easements, rights-of-way, covenants and restrictions of record.

Being part of the property conveyed to the City of Fort Wayne, Indiana, by Hagerman Construction Corporation, Inc. by deed dated May 25, 1970, recorded as Instrument #70-8037 in the Office of the Recorder of Allen County, Indiana.

TOGETHER WITH an ingress and egress Easement over parts of the Lands conveyed to the City of Fort Wayne in document #70-8037, #70-8038, #70-13659, #70-13833 and #70-110205, lying in the North Half of Section 6, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at a PK nail found monumenting the Northeast Corner of the Northeast Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana; thence South 87 degrees 16 minutes 32 seconds West (bearings in this description are based on the Indiana East State Plane coordinate system), on the North line of the Northeast Quarter of said Section 6, a distance of 1419.66 feet; thence South 87 degrees 16 minutes 32 seconds West a distance of 50.00 feet, to a point on the West line of an Easement described in Exhibit "C" in Document #206050372; thence on said West line, South 03 degrees 04 minutes 08 seconds East a distance of 321.22 feet; thence continuing on said West line, South 14 degrees 34 minutes 08 seconds West a distance of 82.51 feet; thence on the aforesaid West line, South 03 degrees 04 minutes 08 seconds East a distance of 249.91 feet, to the Southwest corner of the Easement described in Exhibit "C" in Document #206050372, said point being the True Point of Beginning for the Easement herein described; thence North 87 degrees 17 minutes 50 seconds East a distance of 50.00 feet; thence South 03 degrees 04 minutes 08 seconds East a distance of 95.05 feet; thence South 89 degrees 28 minutes 03 seconds West a distance of 249.49 feet; thence South 86 degrees 54 minutes 58 seconds West a distance of 1279.24 feet; thence with a curve turning to the left with an arc

length of 109.76 feet, with a radius of 70.00 feet, with a chord bearing of South 41 degrees 59 minutes 57 seconds West, 98.85 feet; thence South 02 degrees 55 minutes 08 seconds East a distance of 840.89 feet; thence with a curve turning to the left with an arc length of 143.27 feet, with a radius of 115.00 feet, with a chord bearing of South 38 degrees 36 minutes 33 seconds East, 134.18 feet; thence South 09 degrees 17 minutes 27 seconds West a distance of 65.23 feet; thence South 40 degrees 04 minutes 26 seconds West a distance of 22.93 feet; thence North 03 degrees 16 minutes 48 seconds East a distance of 4.94 feet to a 5/8-inch rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence North 86 degrees 31 minutes 18 seconds West a distance of 144.95 feet; thence North 03 degrees 24 minutes 09 seconds East a distance of 30.00 feet; thence North 68 degrees 34 minutes 05 seconds East a distance of 116.19 feet; thence with a curve turning to the right with an arc length of 113.88 feet, with a radius of 140.00 feet, with a chord bearing of North 26 degrees 13 minutes 21 seconds West, 110.77 feet; thence North 02 degrees 55 minutes 08 seconds West a distance of 840.89 feet; thence with a curve turning to the right with an arc length of 148.95 feet, with a radius of 95.00 feet, with a chord bearing of North 41 degrees 59 minutes 58 seconds East, 134.16 feet; thence North 86 degrees 54 minutes 58 seconds East a distance of 1279.80 feet; thence North 89 degrees 28 minutes 03 seconds East a distance of 146.41 feet; thence North 67 degrees 52 minutes 30 seconds East a distance of 55.48 feet; thence North 03 degrees 04 minutes 08 seconds West a distance of 47.70 feet, to the Point of Beginning. Containing 1.829 acres, more or less.

TOGETHER WITH

Assigned ingress and egress rights from the City of Fort Wayne to the Easement described in Exhibit "C" in Document #206050372.

TOGETHER WITH an easement for constructing, operating and maintaining a grounding grid over and under part of the lands conveyed to the City of Fort Wayne in Document #70-8037, being located in the Fractional Northwest Quarter of Section 6, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the North Quarter corner of Section 6, Township 30 North, Range 13 East, Allen County, Indiana, as defined by record witnesses; thence South 11 degrees 51 minutes 04 Seconds West (bearings in this description based on the Indiana East State Plane Coordinate System), a distance of 1883.98 feet, to a 5/8" rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence South 86 degrees 31 minutes 18 seconds East a distance of 94.95 feet to a 5/8" rebar with an orange identification cap stamped "ANDERSON FIRM #29A", monumenting the point of beginning for the easement herein described; thence South 86 degrees 31 minutes 18 seconds East a distance of 50.00 feet to a 5/8" rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence South 03 degrees 16 minutes 48 seconds West a distance of 136.01 feet to a 5/8" rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence North 86 degrees 33 minutes 11 seconds West a distance of 50.00 feet to a 5/8" rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence North 03 degrees 16 minutes 48 seconds East a distance of 136.04 feet to the point of beginning. Containing 0.156 acres, more or less.

Description prepared by Micheal C. Vodde, Indiana Registered Land Surveyor No. LS20100011.

EXHIBIT B
EXCEPTIONS

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for the value of record the estate or interest or mortgage thereon covered by this Commitment.

2. Rights or claims of parties in possession, boundary line disputes, overlaps, encroachments, and any other matters not shown by the public records which would be disclosed by an accurate survey and inspection of the land described in Schedule A.

3. Easements, or claims of easements, not shown by the public records.

4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land. The term "encroachment" includes encroachments of existing improvements located on the land onto adjoining land, and encroachments onto the land of existing improvements located on adjoining land.

5. Rights of the public and others entitled thereto in and to the use of that portion of the property within the bounds of any road or highways.

6. Possible assessment for periodic ditch maintenance which may be a lien but is not assessed as of the date of this commitment.

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: November 6, 2012

RE: 2012 Sewer State Revolving Fund Loan A Disbursements

Please include the following **2012 Sewer SRF disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$717,672.00.** These payments will be made with the 2012 Sewage Works State Revolving Fund Loan Program. These expenses are for the Lexington & Oakdale Storm Sewer Extension, the Snider High School Sewer Separation, the Fairfax Sewer Extension, the 2012 Small Diameter Sewer CIPP, the 2012 Medium Diameter Sewer CIPP, the WPP CEPT Pilot, the WPP Effluent Pump Station & Pond 3 Improvement, the LTCP Management Consultant Assistance and the WPP Primary & Secondary Treatment Capacity project.

Draw 3, 4, 16	D L Z	$ 24,218.00
Draw 5, & 8	CH2M Hill Engineers	34,457.00
Draw 6, 7, 9, 13, 15, 17, 18, 21 & 24	City Utilities – Fort Wayne Municipal Sewage Works	412,286.00
Draw 10	Construction Support Services	13,163.00
Draw 11	Fleming Excavating & First Merchants Bank	91,202.00
Draw 12	A & Z Engineering LLC	1,843.00
Draw 14 & 19	Arcadis	111,948.00
Draw 20	Donohue & Associates	19,635.00
Draw 22	Butler Fairman & Seufert	990.00
Draw 23	GAI Consultants	7,930.00
	Total Payments	$717,672.00

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila

Mike Avila, Member

November 28, 2012

Date

Haffner Drive Storm Drainage Improvements
RESOLUTION NO. 83235

RESOLUTION BY THE BOARD OF STORMWATER MANAGEMENT of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2200 LF of 12" – 24" storm sewer pipes and all appurtenant structures and drainage swales associated with the storm drainage improvements of Haffner Drive (4400 to 5000 blocks).

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled: Haffner Drive Storm Drainage Improvements.

Declares the cost of the said improvements shall be paid by the Fort Wayne Storm Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $275,000.00.

APPROVED THIS 5th DAY OF December, 2012.

Board of Stormwater Management

BY: _____
Robert P. Kennedy, Chair

BY: _____
Mike Avila, Member

BY: _____
Matthew A. Wirtz, Member

ATTEST: _____
Victoria Edwards, Clerk

St. Joe - DeRome Stormwater Improvements Project
RESOLUTION NO. 83329

RESOLUTION BY THE BOARD OF STORMWATER MANAGEMENT of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 1,350 LF of storm sewers (12" – 18") with all appurtenant manholes, inlets, driveway culvert replacement and swale regarding, associated with storm sewer extension in the vicinity of St. Joe Rd and DeRome Dr.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **St. Joe – DeRome Stormwater Improvements.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Stormwater Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares the engineer's estimate of the project's total cost is $170,000.00.

APPROVED THIS 5th DAY OF December, 2012.

BOARD OF STORMWATER MANAGEMENT

BY: _____
Robert P. Kennedy, Chairman

BY: _____
Matthew A. Wirtz, Member

BY: _____
Mike Avila, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk

Production Road and Investment Drive Stormwater Improvements
RESOLUTION NO. 83332

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Requests the upgrading of the swales on Investment Drive and Production Road. The upgrade will prevent erosion and improve existing storm facilities.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Production Road and Investment Drive Stormwater Improvements.**

Declares the cost of the said improvements shall be paid by the Fort Wayne Storm Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $150,000.00.

APPROVED THIS 5th DAY OF December, 2012.

Board of Stormwater Management

BY: _____
Robert P. Kennedy, Chair

BY: _____
Mike Avila, Member

BY: _____
Matthew Wirtz, Member

ATTEST: _____
Victoria Guerrero, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs - City Utilities Financial Services

DATE: November 19, 2012

RE: 2009 Sewer SRF Series B (STATE REVOLVING FUNDS)

Please include the following SRF payments with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$252,375.00.** These payments will be made with the 2009 Sewer Series B State Revolving Fund Loan Program. These expenses are for the WPCP Aeration System Improvements Ph 2 project, the WPCP Raw Wastewater Pumps & Secondary Clarifier Improvements project, the WPCP Digester Electrical Building & Upgrades and the Snider/Glenwood Park Separation project.

Draw 457	GAI Consultants	$ 24,598.00
Draw 458	CH2M Hill Engineers Inc.	2,930.00
Draw 459	R W Armstrong	3,689.00
Draw 460	Austgen Electric Inc.	280.00
Draw 461	Clark Dietz	2,070.00
Draw 462	Hagerman Inc. & Star Financial Bank	218,808.00
	Total Payments	**$252,375.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

Date: December 5, 2012

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: December 3, 2012

RE: 2011 Water State Revolving Fund Loan - B Disbursements

Please include the following **2011 Water SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$2,467,785.00.** These payments will be made with the 2011 Waterworks B State Revolving Fund Loan Program. These expenses are for the Northwest Pressure Zone Pump Station Improvement projects, the Bluffton Rd. – Lwr. Huntington Water Main Replacement project and the 3RFP UV Disinfection Improvement project.

Draw 119 & 123	D L Z	$ 35,068.00
Draw 120	Kurtz Excavating	135,234.00
Draw 121	H N T B	12,312.00
Draw 122	Mason Engineering & Construction	47,183.00
Draw 124	CH2M Hill Engineers	37,571.00
Draw 125	Kokosing Construction Co.	2,200,417.00
	Total	**$2,467,785.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

December 5, 2012
Date

WPCP Primary/Secondary Treatment & Digester Process Upgrades

RESOLUTION NO. ~~0016-2012~~ 75807 IE

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This work is generally described as hydraulic and process capacity improvements to several areas of the Water Pollution Control Plant. Specific elements include chemically enhanced primary treatment, plant flood protection improvements, secondary clarifier hydraulic improvements, digester complex improvements, aeration basin concrete Repair, digested sludge pumping, waste activated sludge thickening, methane compression, and methane utilization phase 1.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, WPCP Primary/Secondary Treatment & Digester Process Upgrades.

Declares the cost of the said improvements shall be paid by the funds from the SRF, 2012 & 2013 Sewer Reveue Bonds.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $35,000,000.

APPROVED THIS 12th DAY OF December, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy

BY: _____
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Victoria Edwards, Clerk

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: December 4, 2012

RE: 2012 Sewer State Revolving Fund Loan A Disbursements

Please include the following **2012 Sewer SRF disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$1,057,133.00.** These payments will be made with the 2012 Sewage Works State Revolving Fund Loan Program. These expenses are for the Lexington & Oakdale Storm Sewer Extension project, the Snider High School Sewer Separation project, the Fairfax Sewer Extension project, the 2012 CIPP Pkg. 2 – Small Diameter project, the 2012 CIPP Pkg. 1 - Medium Diameter Sewer project, the WPP CEPT Pilot project, the WPP Effluent Pump Station project and the WPP Primary & Secondary Treatment Capacity project.

Draw 25	D L Z	$ 376.00
Draw 26 & 31	Construction Support Services	20,541.00
Draw 27	Butler Fairman & Seufert	5,500.00
Draw 28	A & Z Engineering LLC	1,629.00
Draw 29	Fleming Excavating & First Merchants Bank	191,174.00
Draw 30	GAI Consultants	11,888.00
Draw 32	Insituform Technologies & Fifth Third Bank	207,673.00
Draw 33	Layne Inliner LLC	514,880.00
Draw 34	CH2M Hill Engineers	7,565.00
Draw 35	Sherry Laboratories Indiana LLC	8,438.00
Draw 36	Arcadis US, Inc.	43,742.00
Draw 37	Donohue & Assoc.	43,727.00
	Total Payments	$1,057,133.00

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

December 12, 2012
Date

TO: Victoria Edwards - Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: December 4, 2012

RE: 2011 Sewer State Revolving Fund Loan - B Disbursements

Please include the following **2011 Sewer SRF - B disbursements** with the City Utilities vendor payments.

City Utilities Engineering is requesting the Board of Public Works to approve the following payments in the amount of **$988,613.00.** These payments will be made with the 2011 Sewage Works - B State Revolving Fund Loan Program. These expenses are for the WPCP Combined Sewage Pump Station & Screening Buildings Improvement and the First Flush Bleedback Improvement projects.

Draw 133 & 134	Weigand Construction & Lake City Bank	$ 876,634.00
Draw 135 & 136	CH2M Hill Engineers	58,327.00
Draw 137	Donohue & Assoc.	33,125.00
Draw 138	Symbiont	1,667.00
Draw 139	American Structurepoint Inc.	18,860.00
	Total Payments	**$ 988,613.00**

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila

Mike Avila, Member

December 12, 2012

Date

RESOLUTION OF THE BOARD OF PUBLIC WORKS

To Establish the
Upper Ely Area Sanitary Sewer Capital Improvement Surcharge

Resolution No. 99-12-19-12-1

WHEREAS, in August of 2003, the Board of Public Works approved Resolution 90-261-13 authorizes the establishment of cumulative funds to hold specific sanitary sewer charges collected for the purpose of defraying costs for planning, engineering, financing and construction of sanitary sewer related projects within specific sewer service areas; and

WHEREAS, studies indicate that the initial cost of sanitary sewer planning, engineering and construction projects in the northern area of City Utilities' service areas is more than $20,000,000; and

WHEREAS, the Board finds that all new customers in certain northern areas of the sewer service area should be assessed a portion of the costs necessary to fund the required improvements to the system; and

WHEREAS, the Common Council of the City of Fort Wayne has previously approved a capital improvement surcharge for the Upper Ely area of $20.00 per month but that such a charge requires precise designation and by a Board of Public Works resolution to become fully effective; and

WHEREAS, the Board has defined and amended the Equivalent Residential Unit (ERU) as an acceptable unit of measure; and

WHEREAS, the Board desires to implement a capital improvement surcharge for new customers connecting to the City's sewer facilities as a means to defray the costs of constructing the sewer facilities necessary to serve certain northern areas as shown on Exhibit A.

NOW THEREFORE BE IT RESOLVED, that the Board

1. Implements the ERU based Capital Improvement Surcharge designated as the Upper Ely Capital Surcharge - Sanitary Sewer to be effective this date and until such time modified to all new retail sanitary sewer customers in the area generally shown on Exhibit A and more precisely described as transporting sanitary sewage through any of the following sanitary pipe segments as shown on Exhibit B:

   Pipe Segment Q42 060 – Q42 064
   Pipe Segment R46 013 – R46 012
   Pipe Segment R46 025 – R46 010
   Pipe Segment R50 068 – R50 004
   Pipe Segment T54 005 – T54 004
   Pipe Segment U54 009 – U54 008

Pipe Segment U54 015 – U54 006
Pipe Segment A1 – A2 of the Upper Ely Run Sewer
Pipe Segment A1 – A2 of the Becketts Run Relief Interceptor.

2. Such charges shall be placed in their respective cumulative funds.

3. The Director of City Utilities or his/her designee may establish a procedure for determining the applicability of capital surcharges for projects that are of significant Utility, City or regional benefit.

4. A substantial change in land use and/or a substantial increase in the volume of flow on existing real estate already connected to the sewer system shall be assessed the capital surcharge based on the proposed increase in flow to the sewer system.

As specific planning, engineering, financing and construction projects are identified to achieve the purposes of this Resolution, additional specific sanitary sewer charges and area connection fees may be established by the Board to fund projects relating to sanitary sewer improvements within the area.

This Resolution shall be in full force and effect on January 1, 2013.

APPROVED by the Board of Public Works on December 19, 2012.

BOARD OF PUBLIC WORKS

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

Attest: Victoria Edwards
Victoria Edwards, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared _____ of the _____ Board of Public Works of the City of Fort Wayne, and Clerk of the Board of Works and acknowledged the execution of the foregoing Resolution as and for their voluntary act and deed for the users and purposes therein contained.

WITNESS my hand and notarial seal this _____ day of _____ 2012.

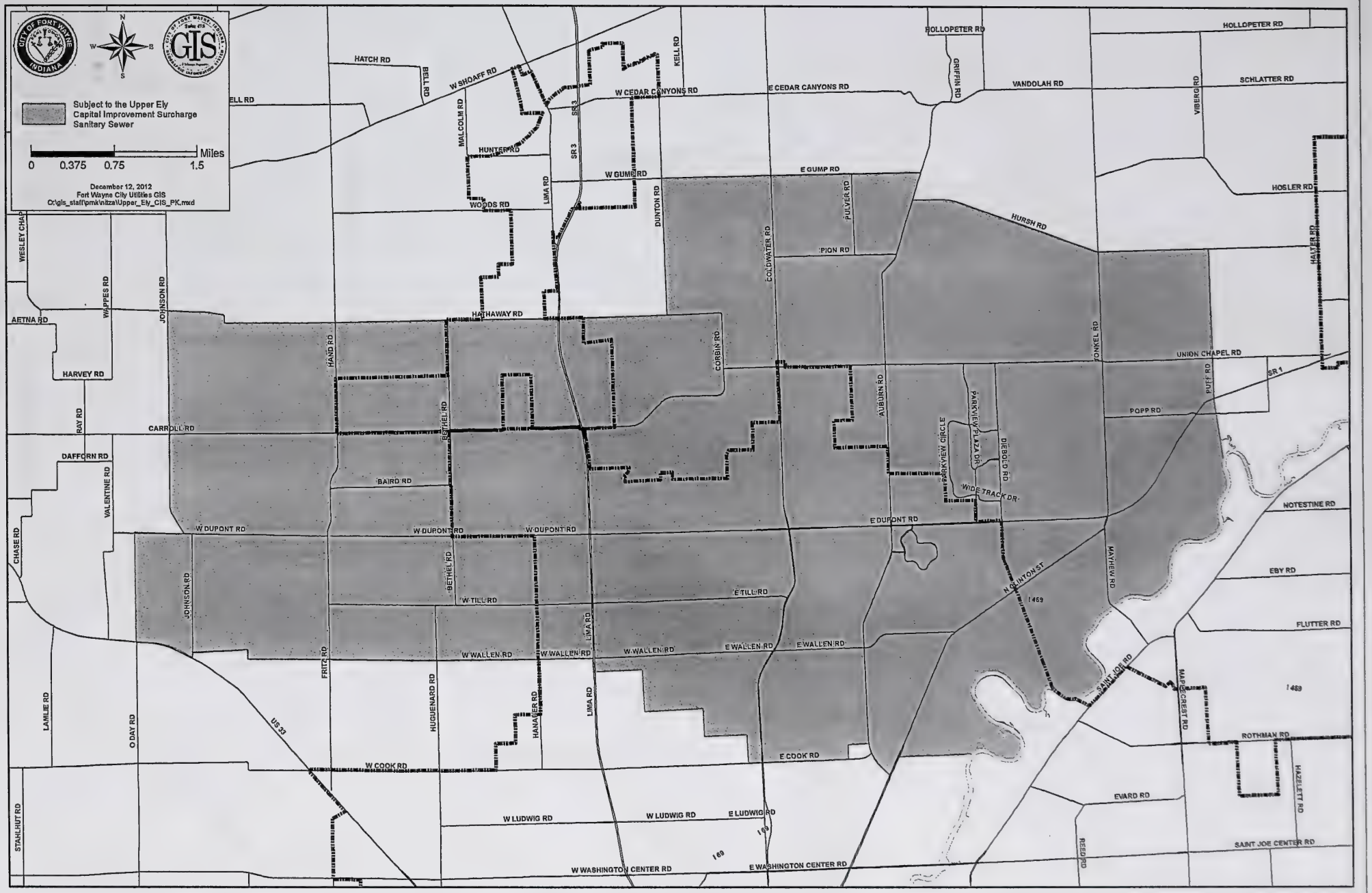
_____
Notary Public
Resident of _____ County

My Commission Expires:

_____

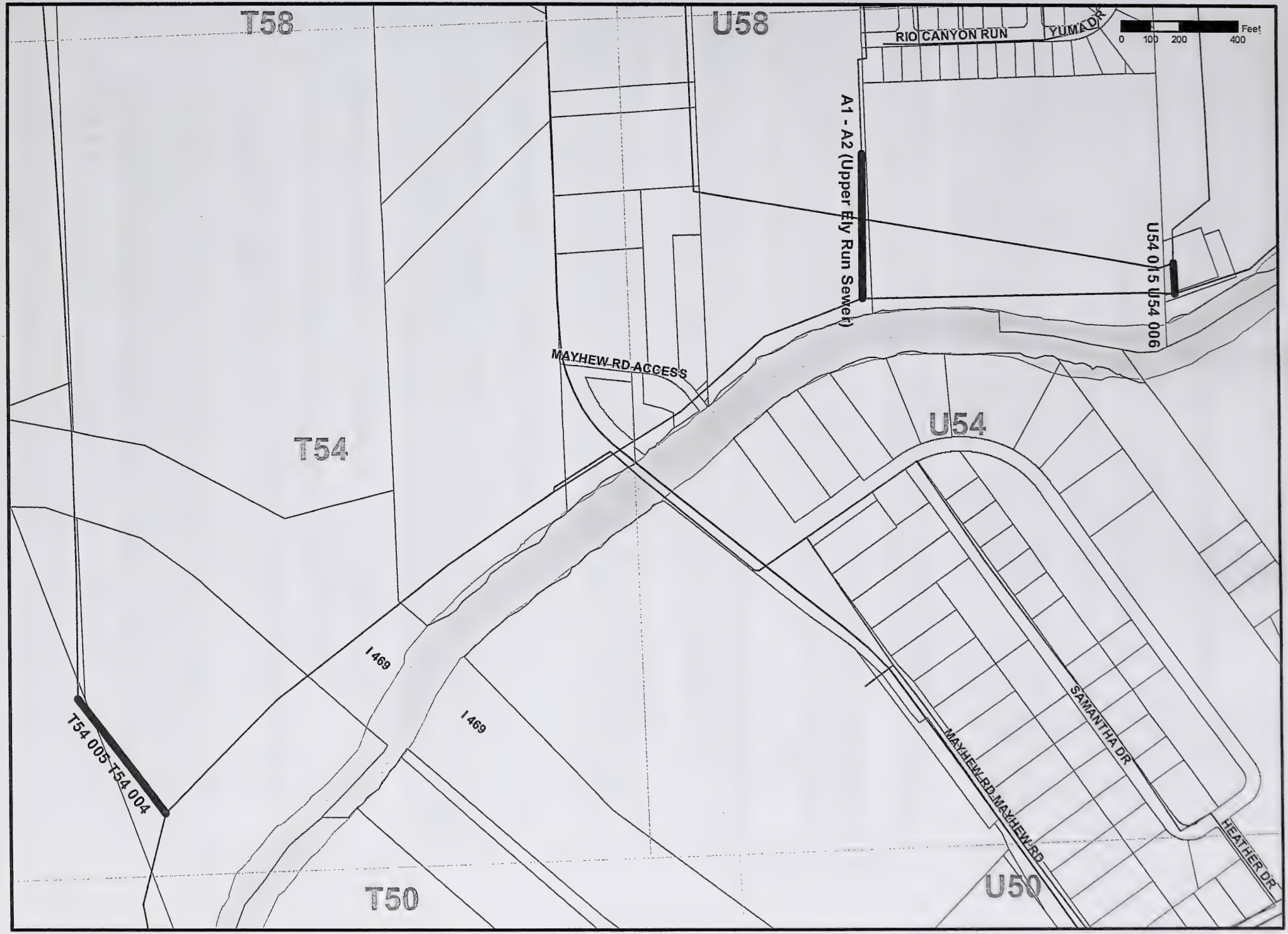
_____
Printed Name of Notary

Upper Ely
Capital Improvement Surcharge - Sanitary Sewer
Exhibit A



R46 025R46 010
0 100 200 400 Feet
Q46
CONIFER PL
PORTECO PL
JACOBS CREEK RUN
A1 - A2 (Becketts Run Relief Interceptor)
R46
R46 013R46 012
JASMINE PL
RIVER COVE TRL
SHOAFF PARK ACCESS
BELLEVUE DR
WOODBROOK DR
DELLMERE DR
OTSEGO DR
Q42
GARDEN PARK DR
RIVERTON DR
R42
PROVINCE DR
BROKEN ARROW DR
SHOAFF PARK ACCESS
RIVER PARK DR
PARK CREST DR
Q42 060Q42 064
DEERWOOD DR

I 69
I 69 I 69
Feet
0 100 200 400
WOODHOLLOW CT
SWIFTS PASS
CROSSBRANCH CT
CLIFFWOOD LN
WOODHOLLOW TRL
CLINTON PARK DR
N CLINTON ST
NORTHAVEN CT
SWIFTS RUN
MEADOW STRM
ROBISON CT
OAKCLIFF LN
Q50
R50
S50
R50 068 R50 004
N CLINTON ST
POST OAK CT
FIELDCREST CT
BLACK OAK CT
BLUFFVIEW CT
ROCKBROOK CT
TIMBERWOOD CT
CARADOZA CV
RIVEROAK DR
Q46
R46
S46


T58
U58
RIO CANYON RUN
YUMA DR
0 100 200 400 Feet
A1 - A2 (Upper Ely Run Sewer)
U54 015 U54 006
MAYHEW RD ACCESS
T54
U54
I 469
I 469
T54 005 T54 004
SAMANTHA DR
MAYHEW RD MAYHEW RD
HEATHER DR
T50
U50

RESOLUTION OF THE BOARD OF PUBLIC WORKS

To Establish the
The Upper Ely Sanitary Sewer Area Connection Fee

Resolution No. 99-12-19-12-2

WHEREAS, on the 26th day of February, 2003, the Board of Public Works ("Board") approved Resolution No. 90-64-20 authorizing the establishment of cumulative funds for the deposit of sanitary sewer area connection fees collected for the purpose of defraying costs for planning, engineering, financing and construction of sanitary sewer related projects within specific service areas; and

WHEREAS, studies indicate that the initial cost of sanitary sewer planning, engineering and construction projects in the northern area of City Utilities' service areas is more than $20,000,000; and

WHEREAS, the Board finds that new customer connections to existing sanitary sewer systems within the existing Upper Becketts Run, Becketts Run, Hawthorn West, Hawthorn East and western portions of the Upper Saint Joseph sanitary sewer service areas should be assessed a portion of the costs necessary to fund the required improvements to the system; and

WHEREAS, on September 5, 2001 the Board approved and on April 9, 2003 the Board amended the Equivalent Residential Unit (ERU) as an acceptable unit of measure for calculating sanitary sewer Area Connection Fees for real estate connecting to the City Utilities sanitary sewer system; and

WHEREAS, certain new customers making sanitary sewer connections to the sanitary sewer system may be of significant economic benefit to the Utility and/or the city or region and may justify an adjustment of the sanitary sewer area connection fees in an effort to induce the new customer to locate in the area and connect to the sewer system.

NOW THEREFORE BE IT RESOLVED, that the Board

1. Adopts the ERU based Area Connection Fee as set forth below for all real estate located in the area shown on Exhibit A as the area subject to the Upper Ely Sanitary Sewer Area Connection Fee. Unless otherwise approved by the Director of City Utilities or his/her appointee, said fees shall be collected prior to connection to the facilities described herein and said fee shall be:

   Upper Ely Sanitary Sewer Area Connection Fee $2,000 per ERU

2. Area Connection fees shall be placed in an appropriate cumulative fund.

3. The area connection fee may be adjusted for inflation each year based on the All Urban Consumer Price Index.

4. That existing projects with sanitary sewer capacity allocation approvals within the western areas of Upper Saint Joseph area as shown on Exhibit B shall remain at $1,308 per ERU until January 1, 2014 for those fees paid before that date. After this date, the Upper Ely Sanitary Sewer Area Connection Fee shall be fully in effect for this western area of the existing Upper Saint Joseph area.

5. That the area connection fee applicable to the Leo-Cedarville Regional Sewer District (RSD) shall remain at $1,308 per ERU until January 1, 2015 for any allocations from Level 1 or Level 2 as cited in the Water Pollution Control Treatment Agreement between The City of Fort Wayne, Indiana and the Leo-Cedarville RSD entered into on August 12, 2006 (Agreement). The area connection fee applicable to any allocations from Level 3 or Level 4 as cited in the Agreement shall be the Upper Ely Sanitary Sewer Area Connection Fee. After January 1, 2015, the Upper Ely Sanitary Sewer Area Connection Fee shall be fully in effect for the Leo-Cedarville RSD.

6. A substantial change in land use and/or a substantial increase in the volume of flow on existing real estate already connected to the sewer system shall be assessed the area connection fee based on the increase in flow to the sewer system.

7. The Director of City Utilities or his/her designee may establish and procedure for determining and implementing an area connection fee adjustment for projects that are of significant Utility, City or regional benefit.

8. That as specific planning, engineering, financing and construction projects are identified to achieve the purposes of this Resolution, additional specific sanitary sewer charges and fees may be established by the Board to fund projects relating to sanitary sewer improvements within the area.

This Resolution shall be in full force and effect on January 1, 2013.

APPROVED THIS 19th **day of** December **, 2012.**

BOARD OF PUBLIC WORKS

Robert P. Kennedy, Chairman

Kumar Menon, Member

Mike Avila, Member

Attest: Victoria Edwards
Victoria Edwards, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared

_____

_____

of the Board of Public Works of the City of Fort Wayne, and Clerk of the Board of Works and acknowledged the execution of the foregoing Resolution as and for their voluntary act and deed for the users and purposes therein contained.

WITNESS my hand and notarial seal this _____ day of _____ 2012.

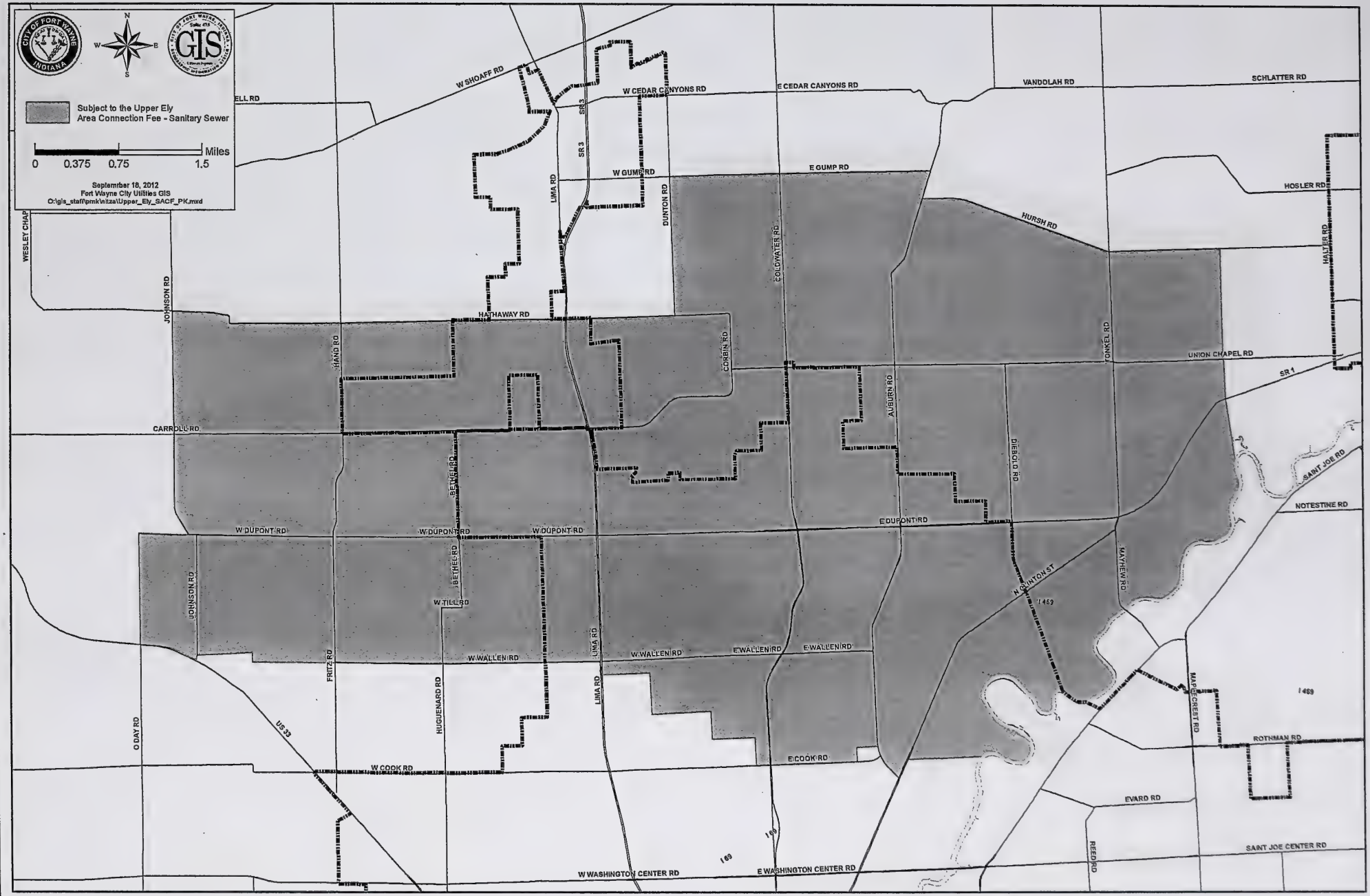
_____
Notary Public
Resident of _____ County

My Commission Expires:

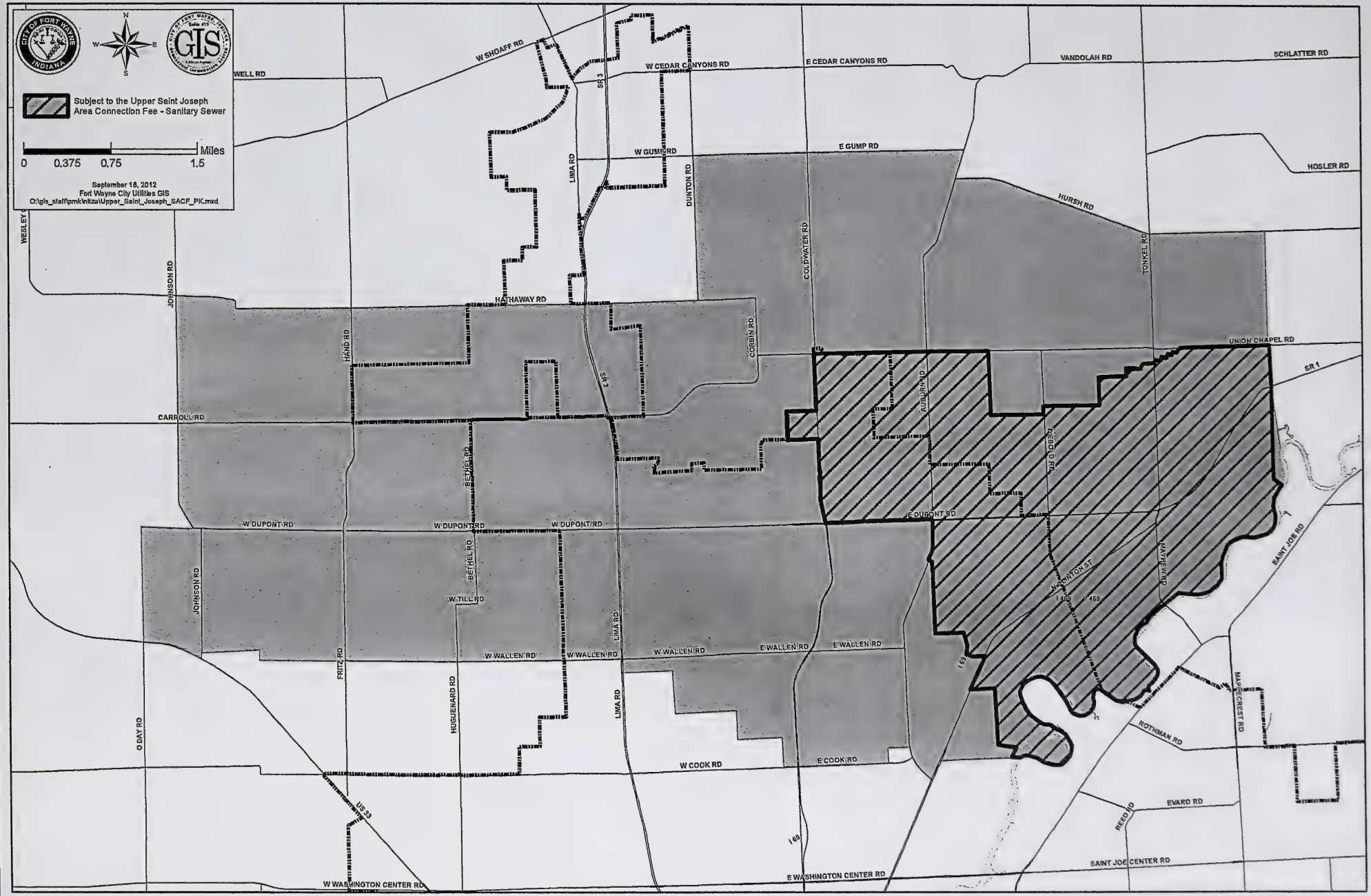
_____

_____
Printed Name of Notary

Upper Ely
Area Connection Fee - Sanitary Sewer
Exhibit A



Western Area of Upper Saint Joseph
Area Connection Fee - Sanitary Sewer
Exhibit B



Bluffton Road and Lower Huntington Road Area Water Main Replacement
Phase II
Resolution Number 0003-2013
Work Order Number 66160

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Includes the installation of 4,869 linear feet of replacement water main and associated hydrants, valves, and appurtenances.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "Bluffton Road and Lower Huntington Road Area Water Main Replacement Phase II"

Declares the cost of the said improvements shall be paid by the funds from the property owners (Barrett Law) and the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $575,000

APPROVED THIS 19th DAY OF December, 2012.

BOARD OF PUBLIC WORKS

BY: _____
Robert P. Kennedy, Chair

BY: Mike Avila
Mike Avila, Member

BY: _____
Kumar Menon, Member

ATTEST: Victoria Edwards
Victoria Edwards, Clerk